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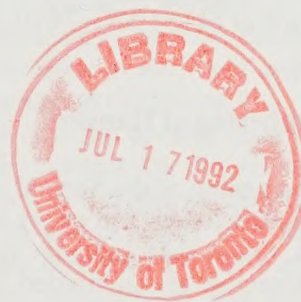
Deuxième session, 35^e législature

Official Report of Debates (Hansard)

Tuesday 14 July 1992

Journal des débats (Hansard)

Mardi 14 juillet 1992



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 14 July 1992

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

CHILDREN'S SERVICES

Mr Charles Beer (York North): The provision of children's services in this province is in dire straits. Wherever you look—children's aid societies, children's mental health, youth employment—cutbacks are causing tremendous disruption and dislocation, yet we hear little from the Minister of Community and Social Services.

What has happened to the final report of the Advisory Committee on Children's Services, entitled *Children First*? This committee, which reported in November 1990, articulated a vision of services to children appropriate for the 1990s. One of the committee's goals stated specifically that government must become the leading partner in creating a public agenda for children to ensure that children's needs are met.

Second, the standing committee on social development has requested that four weeks be set aside to permit the committee to conduct hearings relating to child protection, and specifically at-risk children. These hearings would focus on the population of children at risk, the services available to them and would make recommendations to improve the whole range of children's services. Members of all three parties on the committee agreed to this proposal. Can we expect to receive government approval so this important review can be carried out on behalf of Ontario's children?

Finally, on May 4 of this year, the federal government announced its *Brighter Futures* program. Some \$500 million is to be made available over five years. How is Ontario going to access these funds to assist in the delivery of better health and social services to high-risk children? This government must lead. It's time to act on behalf of our children.

WASTE DISPOSAL

Mr W. Donald Cousens (Markham): Here is some long-awaited good news on the pesky, perennial problem of locating a landfill site for garbage from the greater Toronto area. It has come to my attention that a group of highly creative individuals are working on a garburetor to end all garburetors; its name, the NDP monster garburetor.

It will handle all kinds of political rhetoric, campaign promises, useless information, one-time urgent needs and burning issues. The urgent, burning issues as they were when the NDP was in opposition have long been basic fodder for the new garburetor. No matter what you put into this marvellous little machine, nothing comes out but hot air. Directions for the use of the machine are non-existent, as appears to be the case for the minister of garbage.

A note of caution though: When fed up to capacity, the NDP monster garburetor tends to fly off the handle; and I

should remind you, that is the only handle this government appears to have on anything.

Again, let me remind you, residents of York, Durham and Peel, this machine is still in the experimental stage and as Premier Bob would say to his cabinet, "Trust me." The NDP monster garburetor to end all garburetors is not for sale. It, along with the hot air, is here at great cost to all taxpayers.

Let's just survive until '95, when the NDP garburetor can be thrown out and never used again.

HONOURABLE BILL SCOTT

Mr Dennis Drainville (Victoria-Haliburton): I rise in the House today to pay tribute to one of my constituents. On July 1, Mr Bill Scott, the Conservative MP for the federal riding of Victoria-Haliburton, was named to the Privy Council. He was presented with a Bible, his name inscribed within, from Queen Elizabeth.

After 26 years of service as the MP for my riding, it is fitting that his hard work and commitment to the area and to the political process be commemorated by this honour. This honour marks an outstanding and invaluable contribution to the national life of Canada.

Mr Scott, first elected to the House of Commons in 1965, is currently secretary to the Minister of Veterans Affairs. His goal has been, he says, "to see my constituents here are well served." He feels that by devoting his last 26 years to being a member of Parliament, he has had an opportunity to serve his country, and in that a rare privilege.

At this time of uncertainty with respect to the future of Canada, I find Mr Scott's words inspiring. He says, "Canada is a great country, and the country deserves the attention and dedication of each and every citizen in whatever way they are able to contribute."

Ours is a rich and diverse country with great potential, and I am pleased that the federal representative from my riding of Victoria-Haliburton has been honoured for his recognition of this potential. It is my hope that this man, who has been honoured by the members of our community, with his commitment and devotion, will be a role model for others who choose to serve this country with such loyalty and dedication.

FISHING LICENCES

Mr Michael A. Brown (Algoma-Manitoulin): I rise today to inform the House and the Minister of Natural Resources of the burden which his policy, the policy of restricting the number of retailers in northern Ontario who may issue fishing licences, is having on the economy in my part of the world. I have one constituent who turned away eight people seeking fishing licences. Those people had to drive 30 miles to get a licence to fish in the province of Ontario.

In previous years, tourists in northern Ontario were afforded a variety of opportunities to purchase licences for fishing. Most retail stores, outfitters and camps which

apply to the ministry were able to be granted the right to issue licences. This year, however, the ministry has drastically reduced the number of new northern Ontario outlets it sanctions to distribute the licences. The result has been frustration for tourists and a drop in the economic activity in a number of different stores which previously administered this alongside their other operations.

I urge the Minister of Natural Resources to reconsider the ministry's policy on fishing licences so that we may bolster the tourism and local economies of northern Ontario.

EVENTS IN S-D-G & EAST GRENVILLE

Mr Noble Villeneuve (S-D-G & East Grenville): Many members will have heard me mention the Glengarry Highland Games held in my home town of Maxville every year. This year the games will begin on Friday evening, July 31, and continue Saturday, ending with the traditional massed bands. We will have some 50 bands competing for the North American championships again this year.

As always, I strongly encourage all members to attend, particularly those who tend to forget that there is indeed something that goes on outside the city of Toronto. You will enjoy the skirl of the pipes, the roll of the drums, the grace of the dancers and the power of the athletes in the stone, sheaf, hammer and caber tosses, not to mention the massed bands.

This year we hear that the leader of the Liberal Party will attend the games. Certainly I would make myself very much available to the leader of the Liberal Party should she want to meet some of the farmers in the area. I will certainly be welcoming the leader of the Liberal Party to our Glengarry Highland Games.

On the weekend before our games, July 24 to 26, the Avonmore Fair will be held in the community of Avonmore. On the August 8 weekend there are fairs in Vankleek Hill and in Williamstown, the oldest fair in all of Ontario. On August 16, of course, there is the annual Villeneuve picnic and I certainly encourage everyone to visit our farm and attend our picnic.

These events are for everyone and I hope many members indeed will decide to travel to eastern Ontario and enjoy our hospitality.

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CHILD AND FAMILY SERVICES

Mr Stephen Owens (Scarborough Centre): Today I rise to make a statement about a program in my riding called the Babies Best Start Project. The project is funded by the Children's Aid Society of Metropolitan Toronto Foundation as a research project, as well as by private sector funders who have an interest in paediatric care.

This is an innovative primary prevention project aimed at children who live in public housing in Scarborough and their families. It empowers young, low-income and at-risk parents. While this project was originally targeted to the 400 McCowan and Trudelle Court Metro housing complexes, the success has built to the point where the program is now branching out to other parts of Scarborough, as well as including members from higher income levels.

This program employs community parents to be trained and paid to work with other parents of children up to three years old. The home visitors are matched with new parents from similar cultural backgrounds and they teach parenting skills and provide moral support which will improve the new parents' self-confidence.

The home visitors are the key to this program. It is their commitment and long-term involvement which make the program work. They provide friendship, a morale boost and stimulation for the new parents, who are often single, isolated moms. They give solid, practical advice which helps build parents' confidence. Hopefully the participants in this program will at some point be able to become home visitors themselves.

There are other programs such as Nobody Is Perfect, which is a group project for young mothers providing outreach and peer support, as well as the Mother Goose program, which teaches moms nursery rhymes and teaches them how to touch, play with and enjoy their babies.

CHEQUE CASHING BILL

Mr Gilles E. Morin (Carleton East): The Treasurer claims that if Bill 154, the Government Cheque Cashing Act, becomes law, it may possibly encourage the use of unregulated alternatives. I disagree with this assertion. I have proposed measures that should accompany Bill 154. This is to ensure that no recipient of social assistance is left out in the cold under any circumstances.

For example, an agreement should be reached between the Canadian Bankers Association, other financial institutions and the government of Ontario that would guarantee the cashing of government cheques and establish criteria for identification. This solution need not entail any cost for the government.

Recipients of social assistance benefit by being treated like any other customer. They gain access to a greater range of financial services. They can deal with their funds in the manner they choose, with dignity. There is no dignity in having to resort to paying fees to cash a cheque which is as good as gold.

Cheque cashing businesses have become associated with low-income persons. This singles out recipients of social assistance very cruelly. If the practice of cheque cashing can be made more easy and more attractive, it will not be driven underground. Low-income persons do not freely choose to pay extra fees. To suggest otherwise is incorrect and insulting.

HOUSING POLICY

Mrs Margaret Marland (Mississauga South): I'm happy to see that the Minister of Housing is in the House this afternoon, because I know this will be an important statement for her to hear.

There are 8,300 households on Peel Non-Profit Housing Corp's waiting list, yet in the Minister of Housing's recent allotment of 6,500 non-profit units, Peel received just 469 units, or 7% of the allocation, compared to Metropolitan Toronto's 58%. This is not a fair share for Peel, which has one third of Metro's population and has grown six times faster than Metro in the past five years. Moreover, all the

units went to the co-op sector. Peel Non-Profit Housing Corp received no units in this allocation and none of the 3,500 announced last fall.

This is not right. PNPHC provides 40% of its new units to families needing a deep level of subsidy, whereas co-ops must provide just 25% of their units to deep subsidy households. As well, PNPHC has the zonings in place to start building 500 homes immediately. This would have created jobs now, whereas many of the projects are years from construction.

The unfair allocation of non-profit housing shows how the government's social housing programs are not working. We must correct the inequities and assist the greatest possible number of needy families. Therefore, I call on the NDP government to implement a shelter allowance program. Such a program to help all of Ontario's needy families would cost an additional \$410 million a year, which is a far cry from the \$1 billion this government will spend annually by 1995 to subsidize just 115,000 non-profit homes.

CANADIAN DEAF FESTIVAL

Mr Gary Malkowski (York East): The Canadian Deaf Festival's first biennial national conference was held from July 7 to 12, 1992, in Richmond, British Columbia. Over 700 deaf people participated in the conference, including representatives from the Canadian Association of the Deaf, the Canadian Cultural Society of the Deaf and the Canadian Deaf Sports Association.

The Canadian Deaf Festival was established with an objective to promote cultural awareness and to produce a positive image of deaf people in society. It provides a forum where new ideas and cultural experiences could be shared and where we could stand united for the rights of deaf citizens in Canada. The conference had as its theme "Together We Grow."

Presentations from deaf speakers were held in the areas of deaf self-awareness and action, bilingual and bicultural education, deaf youth, AIDS, cochlear implants and the deaf, education on the prevention of sexual abuse and deaf politics and networking. The presentations were extremely insightful and proved to be an invaluable resource.

The key theme of the conference was that we as deaf people must be involved in decisions that affect our lives, and I'm proud to see that the Ontario government has done just that in its work on deaf education and has considered all communities in its work on employment equity and human rights reforms.

I encourage all levels of government to get out and meet deaf groups, learn about their cultural needs and take them into consideration when implementing plans that will actually affect their lives.

MEMBERS' SAFETY

The Speaker (Hon David Warner): Last Monday the member for Halton Centre (Mrs Sullivan) rose in the House on a question of privilege concerning two incidents involving "physical threats or threats of violence against members." The member, who intimated that the incidents occurred outside the parliamentary precinct,

quoted Erskine May on molesting of members and influencing members by threats.

The first incident occurred in Thunder Bay on April 10, 1989, which was the day before the member for Halton Centre was scheduled to attend a meeting of the standing committee on resources development in that city. Whereas that incident occurred in the course of the 34th Parliament, the second incident occurred in Georgetown on June 27 of this year, and it involved the Minister of the Environment while she was in transit to a public function in that town.

I have carefully reviewed the member's submissions, together with the appropriate authorities, and I'm now in a position to address the House on this matter.

Let me begin by making a few remarks on parliamentary privilege. Standing order 21(a) defines privilege as "the rights enjoyed by the House collectively and by the members of the House individually conferred by the Legislative Assembly Act and other statutes, or by practice, precedent, usage and custom."

Citation 24 of the sixth edition of Beauchesne, drawing on Erskine May, defines privilege (at page 11) in the following terms:

"Parliamentary privilege is the sum of the peculiar rights enjoyed by each House collectively as a constituent part of the High Court of Parliament, and by the members of each House individually, without which they could not discharge their functions and which exceed those possessed by other bodies or individuals. Thus, privilege, though part of the law of the land, is to a certain extent an exemption from the ordinary law. The distinctive mark of a privilege is its ancillary character. The privileges of Parliament are rights which are 'absolutely necessary for the due execution of its powers.' They are enjoyed by individual members, because the House cannot perform its functions without unimpeded use of the services of its members; and by each House for the protection of its members and the vindication of its own authority and dignity."

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The authorities suggest that for a *prima facie* case of privilege to be made out, the circumstances giving rise to the alleged breach of privilege should have impinged on the parliamentary duties of a member. For example, citation 92 of Beauchesne states (at page 25) that, "[a] valid claim of privilege in respect to interference with a member must relate to the member's parliamentary duties and not to the work the member does in relation to that member's constituency."

Furthermore, Maingot's Parliamentary Privilege in Canada indicates (at pages 197 and 198) that "to be considered a matter of privilege, any molestation or intimidation of the member must relate to his parliamentary duties unless the circumstances arise within the precincts when the House is sitting, in which case the act alone of assaulting any person within the precincts is the gist of the contempt."

And at pages 199 and 200, Maingot makes the following additional remarks about the narrow confines of parliamentary privilege:

"[I]t must be shown that the member was obstructed in his work relating to a proceeding in Parliament and not

simply while he was performing his representative duties in his constituency or in other myriad areas (which is the wont of members of the House of Commons), nor simply in his private capacity....

"[T]he underlying test in all cases [is] whether the right claimed as a privilege is one which is absolutely necessary for the due execution of the powers of Parliament."

I also want to refer members to some of the authorities concerning the timeliness of raising questions of privilege, an issue that is more germane to the first incident raised by the member for Halton Centre. Citation 115 of Beauchesne indicates the following (at page 29):

"A question of privilege must be brought to the attention of the House at the first possible opportunity. Even a gap of a few days may invalidate the claim for precedence in the House."

The 21st edition of Erskine May indicates (at page 135) that "a member who wishes to raise a privilege complaint is required to give written notice to the Speaker as soon as reasonably practicable after the member has notice of the alleged contempt or breach of privilege."

I have to say, then, that a *prima facie* case of privilege has not been made with respect to the two incidents raised by the member for Halton Centre.

Notwithstanding this ruling, I want to assure the member for Halton Centre, and indeed all members, that I am very concerned about how such incidents might affect members as they attend to their parliamentary responsibilities. To this end, I will review such security arrangements as are within the jurisdiction of the Speaker and take such action as is appropriate.

I again want to thank the member for Halton Centre for bringing these incidents and the seriousness of the situation to the attention of the House.

STATEMENTS BY THE MINISTRY

INTERNATIONAL TRADE

Hon Bob Rae (Premier and Minister of Intergovernmental Affairs): Roughly four years ago, Canadians participated in a federal election campaign which turned on an issue of unparalleled importance for our economy and our people.

The party that now forms the national government ran a campaign based on the virtues of a Canada-US free trade agreement, an agreement which was going to mean jobs for Canadians, greater predictability about the rules of the game for our trade with the United States, more access to the American market for Canadian business and future competitiveness for our economy both within North America and the global economy.

No less an authority than former Finance minister Donald Macdonald, co-chairman of the pro-free trade Canadian Alliance for Trade and Job Opportunities, summed up the issue as follows: "The really critical thing is, does the agreement put Canada as a trader with the United States in a better position to defend its interests? I think the answer is yes."

Our government disagrees profoundly with that view. Over the months, we've been subjected to virtually unending trade harassment from American industry. The list of

disputes is very long and includes trade in softwood lumber, beer, steel and autos. Earlier this year, CAMI Automotive and Honda were subjected to harassment by US customs over alleged issues involving the national origin of their products, and today we have the latest salvo: US customs officials have begun investigations regarding the national origin of cars produced by Ford and Toyota in St Thomas and Cambridge respectively.

I don't think there's a better or fairer way to describe these actions, the latest in a long string of similar moves, than as systematic trade harassment. In my view, they are the most recent evidence of what many Canadians and I believe most Ontarians feel. The Canada-US free trade agreement has not produced the most fundamental benefit it was intended to achieve: an end to unilateral protectionism by the United States.

That is why, when our national government and the American federal administration announced their intention to negotiate a trilateral North American free trade agreement among themselves and Mexico, we said it was a bad idea. Our government consistently has opposed the talks as not being in the best interests of Canadians generally or Ontarians.

Canada cannot stay at the NAFTA negotiating table while these American actions continue. They are clearly intended to discourage investment in Canada. They will not succeed, as we have seen from announcements by many companies, including major investments announced in recent months by General Electric, Chrysler, Ford and General Motors. Despite the confidence shown in the economy and the people of Ontario by these major investors, we feel the federal government must signal clearly that ongoing US protectionist actions and the active discouragement of investment in Canada is entirely unacceptable.

I've spoken today with the Prime Minister. I want to say that I am today calling on the federal government to suspend its participation in the NAFTA negotiations. Further, I believe the Prime Minister should call a first ministers' meeting in advance of any deal being signed, at which the federal government should explain its strategy with regard to trade. In our view, this should be the beginning, and not the end, of a public debate on the desirability of a NAFTA and the direction of Canadian trade policy for the 1990s.

RESPONSES

INTERNATIONAL TRADE

Mr Monte Kwinter (Wilson Heights): I listened with interest to the Premier and his recommendation to the Prime Minister of Canada. This from the same Premier who said, when he was the Leader of the Opposition, if he was elected not only would he not honour the free trade agreement, he would do everything he could not to comply. He almost immediately did nothing when a tractor company that made trailers sold a large shipment to the United States directly, to the detriment of Ontario and directly contravening the exact thing this Premier said.

Mr Premier, I have a question for you. Where have you been? This discussion has been going on for 18 months. To suddenly come to the party and say "Go home" is a little

late. I suggest to you, sir, that this agreement is near completion. You had every opportunity to express the same concerns in a meaningful way to the Prime Minister, the President of the United States and the President of Mexico. You haven't been very effective if you have done it.

I will say to you this: that to ask to take Canada away from the table, to my mind, would be disastrous, because then what you would have is the United States and Mexico negotiating a deal without Canada being there to at least try to minimize the effect of it.

I would make another suggestion to you if you're looking for suggestions. I notice you had no trouble making your statement outside the House and it's now the headline in the *Toronto Star*, in which you say in effect: "I don't know what has been going on. I wasn't aware of it." I would suggest to you that you could have put your efforts to the point of making sure that Ontario was at the table. As the manufacturing and industrial centre of Canada, you should have been there protecting the interests of this province to make sure that any negotiation that takes place takes place without being detrimental to the people of Ontario and to the jobs we have here.

1400

There is no question, and I have to say I agree, that there are incidences of harassment. The implications of the 201 and the 301 actions, whether it's countervail or dumping, have always been a problem, and that of course was the whole genesis behind the free trade agreement. Contrary to what you're very happy to say—that we did nothing to stop the free trade agreement—that was our concern: that when we did have agreement, the dispute settlement mechanism wasn't terribly effective.

I would suggest this is where you should be putting your efforts, not to come literally at the last minute after 18 months of negotiations and suddenly suggest, "Let's withdraw." I think what has happened to you, and I say this with all respect, is you have been so coloured by your involvement in the constitutional talks that you got the idea that if you withdraw from the discussions, maybe things won't happen. That certainly didn't stop you and the other premiers from coming up with a constitutional agreement.

I suggest to you that your responsibility is not to give gratuitous advice to the Prime Minister of this country as to what he should be doing. You should be looking after the business interests of Ontario. You should be at the table. You should insist that Ontario have a place so that at least when decisions are taken that are going to impact negatively on Ontario you have an opportunity to say something about it. I would suggest that that would be a better place to put your efforts.

To make this statement is grandstanding in the worst way, because unless you can put something behind it, unless you can put your money where your mouth is, what are you going to accomplish? You're going to get your 15 seconds in the *Toronto Star* and that'll be it. But tell me, what is going to happen? What is the next step? Are you going to go to Ottawa? Are you going to insist that the talks stop? You will be laughed out of Ottawa if that happens. Tell me what you're going to do. I'd be very interested to hear what plan you have other than to wring your

hands and say, "Please, sir, will you withdraw from the talks, because we think it's not going the way we would like it to go?"

Mr Michael D. Harris (Nipissing): I want to make one specific comment on the statement by the Premier and then some comments about all provincial politicians who think they have anything to do with free trade and who think they can do anything about it and how irrelevant the Premier's statement is and why it's time to get on with what you can do.

The comment, though, has to do with what I guess has provoked the statement: the fact that customs officials earlier this year harassed, as the Premier said, CAMI and Honda with regard to Canadian content, and now, today, the national origin of cars produced by Ford and Toyota in St Thomas and Cambridge. With or without a free trade deal, customs officials are free to bring up these allegations and harass, if that's what they're doing.

I'm also very intrigued that the Minister of Industry, Trade and Technology—and I think the Premier as well, but certainly spokesmen for the government—has expressed great confidence that the free trade agreement will provide the mechanism to ultimately win those disputes and that without that free trade agreement there is no recourse; there is no other vehicle to try to resolve those disputes.

The very issue that seems to have prompted the statement, as imperfect as the free trade agreement is—I agree with the Liberals—is the one vehicle that you tout as going to save the day. The same with the softwood lumber you talk about—that's the vehicle that's going to save the day, yet you continue to think we can operate in a vacuum and put the barriers up.

I'm not surprised, for a couple of reasons. First, the Premier of Ontario went to the negotiating table on the Constitution and was the Premier who was the biggest impediment and barrier to interprovincial trade barriers in this country. All the other negotiators have said this, all the other provinces have said this: that Premier Rae was the biggest obstacle to dropping the interprovincial trade barriers. It's not surprising then that he thinks Ontario can live in a cocoon all by itself.

What I suggest is that the Premier ought to do things that he has some control over, that are within provincial jurisdiction, that will allow us to be competitive and prosper and have jobs with or without free trade with the United States, with or without free trade with Mexico, with or without a GATT agreement, and that is to be competitive in this province, to have a tax climate where we're a desirable province to do business in, to have a regulatory framework where it's desirable for business to locate in.

I understand the Premier trying to divert attention from that, because his record, as was the previous Liberal record, was abysmal on this front. I fought a campaign in 1987. I was involved in an election where we had a Premier in Ontario, very much like the current Premier, who campaigned against free trade. "If you elect me as Premier," he implied, "I'll stop this free trade deal." He had no power to stop the free trade deal. It was a bogus issue to begin with. It wasn't something that was within the provincial purview or

domain. I suggest that was because, as the Liberals hiked taxes, brought in more regulation, more red tape, made us more uncompetitive, they knew it would be more and more difficult for Ontario to compete.

Now we have another Premier—a partner who led to the election of the Liberal government—doing the same thing: trying to divert attention from their terrible record here in Ontario by pretending that they can do something that we have no jurisdiction over. You might as well say, “We’re opposed to panda bears in North Bay.” You have as much control or jurisdiction over that as you do with the free trade agreement. To suggest that whether the Premier of Ontario agrees or disagrees is going to have any impact at all is so presumptuous on the part of the Premier of Ontario that I think it is laughable.

Premier, I suggest you get your own house in order. I suggest you look at why we can’t compete any longer with the western provinces, with Quebec, with New Brunswick, when Ontario used to be the province of opportunity, the province that was the most competitive. I suggest you get your own house in order. I suggest you work at the things you can do and you have jurisdiction over, and not worry about those things that you have no control over.

MINISTERIAL COURTESY

Mr Hugh P. O’Neil (Quinte): Mr Speaker, I rise on a point of personal privilege today. Last Friday, July 10, the Minister of Government Services came into the riding of Quinte, into the city of Belleville, to announce under the Jobs Ontario Capital program a \$2.7-million grant to two things within the city of Belleville: construction of a new Belleville OPP detachment and three separate renovations and repair projects at Sir James Whitney school in that same city.

I would just like to make you aware, Mr Speaker, that prior to coming into the city the day before, the minister notified all the municipal politicians and the press in that area and neglected to notify the elected member of that riding.

It is my personal feeling that whatever government it is usually has the courtesy to make sure that the member within that area is notified of different announcements so that he or she can be there to be aware of it.

Interjections.

The Speaker (Hon David Warner): Order. To the member for Quinte: Indeed—

Interjections.

The Speaker: Would the member for St George-St David come to order, please.

Interjections.

The Speaker: Order. I ask the member for St George-St David to come to order.

To the member for Quinte—and the member may know that in the alleged point of privilege which he raised, he in fact answers his own question—while it is not a loss of privilege when a member has not been invited to a function, none the less it is generally considered to be a courtesy, and obviously in this particular instance it was not extended. It is time for oral questions, and the member for Timiskaming.

1410

ORAL QUESTIONS

LABOUR LEGISLATION

Mr David Ramsay (Timiskaming): Thank you very much, Mr Speaker—

Interjections.

The Speaker (Hon David Warner): I ask the member for St George-St David to please come to order.

Mr Ramsay: I would also like to thank my colleagues for getting the government’s attention today.

My question is addressed to the Minister of Industry, Trade and Technology. In April the government’s throne speech talked about the need to form partnerships between government, labour and business in order that we could renew the Ontario economy. Everyone understands and, I might add, agrees that these groups have to work together to get the Ontario economy working again, but the NDP’s labour bill has upset many businesses and working Ontarians. It has made foreigners nervous about investing in Ontario and has polarized labour-management relations in Ontario.

The government can talk about promises and partnerships all it wants, but these amendments are really not showing business in Ontario what partnership is all about. Your idea of partnership is, “Take it or leave it; this is how we see it.” That’s not what a partnership is. You can’t ram partnership down people’s throats.

Doesn’t the government realize that it has begun now a pitched battle with business over these labour reforms, a fight that means the end of its economic renewal strategy? How is this type of labour management going to rebuild the Ontario economy and get those new jobs that we need for Ontario’s unemployed?

Hon Ed Philip (Minister of Industry, Trade and Technology): The honourable member has made a number of statements that are simply not based on fact. He says that this government hasn’t listened. In fact there are 20 amendments to the Labour Relations Act already as a result of the impacts of the information provided to the Minister of Labour, 11 of which are substantial.

I can tell you that members of the business community whom I have spoken to are appreciative of the fact that I and other cabinet ministers have brought that information to the attention of the Minister of Labour. The Minister of Labour has met with many of these groups themselves and he has listened. The evidence is in the changes that he’s already made to the bill.

The honourable member says that it is forcing businesses not to invest in Ontario. The evidence is to the contrary: There is more investment in Ontario than in any other province and indeed than in all the other provinces combined. Why don’t you learn the facts?

Mr Ramsay: This breakdown in the government’s relationship with the business community in Ontario is poisoning other activities in the government’s economic renewal plan. I’ll give you some examples. The main business group representing Ontario small business pulled out of the Ontario Training and Adjustment Board yesterday.

That's the government's prime initiative for skills training. How is the government going to renew the skills of Ontario workers if OTAB is in shambles? The main business steering group that the government has relied upon to develop OTAB has now stopped nominating the principals to be on OTAB. In short, OTAB is in shambles.

This minister has said it's key to economic renewal that we have a highly skilled workforce in place. How can the minister say his industrial strategy will help create a skilled workforce when the government's main initiative in training is on the rails?

Hon Mr Philip: Once again the research for the Liberal Party is found to be faulty. In fact, they have not withdrawn from OTAB; they have withdrawn from the reference board. I think that there's a great distinction to that. We respect and we want the influence and the input from business in that. The Minister of Colleges and Universities and Skills Development has been saying that all over the province.

The honourable member says that somehow the business community does not have confidence. Let me read to you a statement by one of the investors, namely IBM. IBM, in opening up construction for two facilities that have created 150 jobs per year over a five-year period, said, "I hope that people will see that the opening of these two facilities is a ringing vote of confidence in Ontario." That's what the business community has done. They're putting their money in Ontario. That's the vote of confidence.

Mr Gerry Phillips (Scarborough-Agincourt): The facts have been released today, as the minister will know. We see the plant closures, the tragic numbers, that you are responsible for. Just released today: a plant closing every other day in the province of Ontario. We saw 16 plants close in June; 74 plants closed already this year. We see already in the month of July, and we're only halfway through the month of July, that 19 plants have announced they are going to close, Minister. Those are the numbers.

Minister, there were four key planks in your economic renewal plan. The first big part was the Ontario Training and Adjustment Board, and we found out yesterday that the partners are saying they don't want to participate. The second big part of your economic platform was the Ontario investment fund, and we see there the partners' severe concerns about participating. The third part of your economic renewal plan was the worker ownership plan. The Ontario Federation of Labour, the Canadian Auto Workers and the Steelworkers all say the plan is crazy. The fourth part is the Labour Relations Act amendments.

Your economic plan is in tatters, Minister. I want to know very clearly from you, what are the things that are specifically going to create jobs in the next six months, recognizing that the four major planks in your economic renewal plan are in tatters?

Hon Mr Philip: The honourable member says they're in tatters. In fact all he has to do is read the headlines of the newspapers to see where the tatters are. The fact is that in the last two months more new jobs have been created in Ontario than in all the other provinces

combined. Tell that to your Liberal friends who are running other governments.

Interjections.

The Speaker: Order. Would the minister take his seat, please.

Interjections.

The Speaker: Minister.

Hon Mr Philip: The research in the Liberal Party is so poor that they can't even read the newspapers. Here are the headlines in the newspapers: "New Contracts Keep Ontario Bus Rolling"—Toronto Star, July 14; "ISM Information Systems Management Corp"—a new \$14-million contract; General Motors's announcement—we all heard about that; "Company to Reopen Toronto Oil Recycling Plant"—Toronto Star, July 13; "Microsoft To Expand Canadian Operations"—July 13 in the Financial Post; "Thirty Waterloo Labatt Workers to Transfer from Montreal to Toronto."

Interjections.

The Speaker: Order. Would the minister take his seat, please.

CAMCO INC

Mr Monte Kwinter (Wilson Heights): My question is to the Premier. For the past six months or so, just about every time anyone raises the possibility that the NDP just might be a job-killing, anti-business government, this government dusts off the two-year-old Ford investment decision to say that things really aren't as bad as they seem. Yesterday the NDP announced that at least one Ontario manufacturer was actually going to keep its doors open for at least one more year and that was considered to be big news.

Today I want to ask the Premier about another one of his favourite good news stories. He referred to it today in his earlier statement, and that has to do with General Electric. I'm sure the Premier is aware of the situation at Camco Inc. Could he tell this House what he is planning to do to make sure the thousand jobs at stake in Hamilton are in fact maintained in this province?

Hon Bob Rae (Premier and Minister of Intergovernmental Affairs): As soon as we heard about the action being taken by GSW and the concerns being expressed, we've obviously asked for and held meetings with both GE and the principals of GSW with respect to Camco. We intend to continue those meetings with General Electric with respect to the future of Camco.

We think there's every interest for the whole country in seeing genuine product mandates being granted to this firm. We think it's a company which has shown a history of success and competitiveness. Everything that can be done to maintain those jobs, to keep those jobs and to see that those firms expand, everything that possibly can be done, will be done by this government, as we have done in other situations in which we faced difficulties, whether it's de Havilland, whether it's Algoma. Whatever situation it may be, we will do everything we can to see that these jobs are maintained and that the appropriate product mandates are granted to these companies.

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Mr Kwinter: The General Electric plan calls for the company to chop 500 jobs at its Hamilton Camco facility by the end of 1994 and the remaining 500 Hamilton Camco jobs by 1998. General Electric is the same company this government flaunted in its throne speech, the same company the NDP was eager to give \$27 million to, to gain 190 jobs just up the road in Oakville. That's \$142,000 for every job, and the federal contribution amounted to millions more. Can the workers in Hamilton expect that the same type of treatment their company cousins in Oakville received to entice their employer to stay in Canada will be given to them?

Hon Mr Rae: When the member was the former Minister of Industry, Trade and Technology, he was not reluctant. I can show him examples, of Goodyear in Napanee, and the federal government was there; with respect to the Toyota location in Cambridge, in which the government was involved, and with respect to the Honda location. With respect to decisions that have been made by companies, this is the reality of having to deal here. We had to succeed in getting the world product mandate for the Oakville plant. We had to succeed in working out some understanding with Ontario Hydro with respect to purchases and with respect to the marketing of the new lighting that's there. These are very tough negotiations with these corporations. It's not easy.

I suppose that in an ideal world the government of Ontario would not be involved in having to deal with the training needs. The fact of the matter is that on the training side I have said to corporation presidents, I have said to companies that are planning to invest, that we are prepared to cooperate and to invest on the training side, provided the jobs are there and provided the world product mandates are there. That's what we're doing. The member knows full well that we have to compete with Kentucky, Georgia, Michigan and New York state, all those jurisdictions that are offering tax concessions and other concessions that we have no way of matching and no way of dealing with.

The key way for us to deal with it is on the training side and on the infrastructure side, and that's exactly what we're going to do in order to keep these jobs in Ontario and in order to see they're expanded. This is the reality of having to do business in the world today and the member for Wilson Heights knows it better than any other member in this Legislature.

Mr Kwinter: I don't know what I said to elicit that response from the Premier. All I asked him was: "You did it in the Oakville plant. Are you going to do it in the Hamilton plant?" I wasn't being critical of the fact that he did it in Oakville. I just asked: "Are you going to do it in Hamilton? Are you going to tell those workers they will get the same treatment from this government that their brothers in the Oakville plant got?" That was all I asked you. I wasn't asking you to give me a whole dissertation on the advantages of enticing industry into Ontario. As the Premier said, I, probably more than anyone else in this House, am very aware of that.

But I would like to say that the Premier probably isn't aware that the company to which he handed the \$27 million to save the 190 jobs in Oakville is the same company that has laid off 275 employees in Peterborough without a peep from this government. So what I want to know is, when do you decide who gets your attention and who doesn't get your attention? How do you deal with that?

You give money to the Oakville workers at General Electric and you seem to be prepared to ignore what is happening in Hamilton. The General Electric company in Peterborough lays off 275 workers: not a peep. I just want to know from this Premier about this government: What kind of industrial strategy do you have? Is there any consistency in what you do or is it just to react to whatever is the hot point of the day?

Hon Mr Rae: The repayable loan we granted to General Electric with respect to Oakville—I might say no one was more keen to be there for the signing ceremony than the local member from the Conservative Party, as one would fully expect. I get questions being asked by all kinds of members about what's going on in their individual plants.

You say, "What's the strategy?" First of all, the strategy is to do as much as we can as a government on the training side. The strategy is to do as much as we can on behalf of the workers and on behalf of education. As we begin to see the transformation of branch plants in response to the free trade agreement, the strategy for this government is to try to get as many world product mandates given by global corporations for their activities in Ontario as we can possibly achieve.

That's been the strategy with respect to General Electric; that's been the strategy with respect to Ford, Chrysler and others. That is the best and most intelligent way for us to respond to the restructuring that's going on within these global corporations. That's what we're doing in response to General Electric.

I can tell the honourable member that there are going to be other efforts made with other corporations, whether on the computer side, the high-tech side, the manufacturing side or the service side. Where we have these multinational corporations working and looking to locate around the world and looking to why they should choose Ontario, the two reasons they give us are these:

First of all, because of our health care and social service system, the quality of life for their workers is very high and their health care costs are predictable and controllable in contrast to what they are in the United States.

The second reason given is the quality of the workforce and the commitment of this government to training and education. Those are the two critical factors we have at work in dealing with the global corporations with which we have to deal.

LABOUR LEGISLATION

Mr Michael D. Harris (Nipissing): I have a question for the Minister of Labour. Minister, yesterday the Canadian Federation of Independent Business announced it's withdrawing from the Ontario Training and Adjustment Board. They said, "We cannot become training partners with a government that destroys the very jobs the training

is supposed to benefit." Your Premier called that a partisan political tactic. I suggest that is typical of a government which makes a habit of trying to crush anybody who disagrees with it. I just ask you to ask the Minister of Northern Development and Mines. Minister, the CFIB is the voice of small business in the province of Ontario. Why won't you listen to them?

Hon Bob Mackenzie (Minister of Labour): I want to make it clear to the member that we have listened to them carefully. It seems to me that when the approach is one that what we have to react to is how we can pay the lowest wages and the least benefits possible, it's not a good approach for Canadians. It's not the direction we intend to go in. The direction we intend to take is to take advantage of the trained and efficient workforce we've got and to see that they take part in some of the decisions that are going to affect them.

Mr Harris: Yesterday you went off on another rant against the people you think are out to get you. This time a reputable polling company, Environics, was the object of your abuse. Later in the House you slammed an Ernst and Young study. Now you've added pollsters and small business groups to your growing list of people you think are out to get you. Minister, I ask you again, as I have asked you countless times before, will you show us one shred of evidence you have, one study that you have done, that proves that any of the studies you disagree with are in any way, shape or form the slightest bit wrong?

Hon Mr Mackenzie: What we do know, and what the leader of the third party should know, is that an efficient, involved workforce is much more productive than one that's not. What we are trying to do in Ontario is to use our most valuable resource, which is our workers, and bring them into the decision-making that's going to affect them.

1430

Mr Harris: Minister, I realize you don't believe me or listen to me. You don't believe or listen to big business or large employers in Ontario. You don't believe or listen to small employers in Ontario. You won't believe countless numbers of independent studies and now you don't believe the polls. Every day in my office I get letters like one I'd like to read from. It's from Piller Sausages and Delicatessens Ltd of Waterloo addressed to me about the impact of proposed labour legislation. It says:

"Over the last five-year period we have had substantial growth in our organization resulting in investment dollars in Ontario. The following points highlight some of the positive effects of this growth: employment levels increased 29%; investment dollars were \$10,750,000 over the last five years"—over \$2 million a year—"participated in a joint venture to expand product base—new facility erected in Ontario; expansion of current facility. This type of investment has a positive spinoff effect throughout the entire community and Ontario."

Then the letter says: "The proposed amendments to the Labour Relations Act have caused us to put all further investment plans on hold. There will be no increase in employment and no further investment in Ontario."

Minister, this letter, as well as hundreds of others we are receiving from across the province, is not partisan. They're not big business; they're not small business; they're not pollsters; they're not independent analysts. They are small businesses trying to make a living, trying to create jobs. They are not your enemies. In fact, treated properly, they are your greatest ally in creating jobs in this province. Why won't you listen to them?

Hon Mr Mackenzie: It's obvious there's a disagreement between myself and the leader of the third party. I think I have been listening to them. I have been listening to them very carefully, and what we've done with the Ontario Labour Relations Act amendments clearly indicates that in the changes we've made. It's unfortunate the leader of the third party does not believe there is a role for the workers in the province of Ontario to play as well as business in terms of turning our situation around.

MINISTRY TRAINING SCHOOL

Mr Robert W. Runciman (Leeds-Grenville): I have a question for the Minister of Correctional Services. I'm sure the minister is aware of the staff training and development school his ministry operates in Hamilton. I'm wondering if the minister is also aware of concerns being expressed about the operation of the school, the fact that there's no supervision available on a night-time basis when up to 70 individuals from his ministry can be housed on premises, stories of considerable amounts of liquor entering the premises, parties and women, members of his ministry feeling extremely vulnerable if they have to stay on those grounds over an evening or over a period of time. Would the minister indicate if he's aware of those concerns, and if yes, what is he doing about it?

Hon Allan Pilkey (Minister of Correctional Services): I'm not aware of the concerns, although they are very serious concerns if in fact they are the case. I can assure the member if any such actions are taking place, they will be stopped immediately. I will see to that personally.

Mr Runciman: There's a very serious allegation circulating within the Ministry of Correctional Services. Several months ago, two female members of the ministry, while attending a course at the college, were sexually assaulted by others attending the college, a significant number of males assaulting two females. We've been advised that the women are not lodging formal complaints because of peer pressure, although they have visited with the ministry psychologist because of the impact this is having on them. I stress, Mr Minister, that these are allegations. I'm asking you if indeed you're aware of this charge, this allegation, which is in wide circulation within your ministry, and if yes, what you are doing about it.

Hon Mr Pilkey: As I indicated, if these allegations do have any basis in fact, they are indeed serious and are taken as such by myself and certainly will be dealt with immediately if that is the case. I think that's all I should respond until I can find out whether the honourable member's questions or assertions are a fact. I'll be very pleased to respond subsequent to that investigation.

Mr Runciman: It's difficult to pursue it any further other than to say I have been contacted by a senior member of the bureaucracy, who certainly indicated that the deputy minister was aware of these allegations. A decision was taken within the ministry not to pursue it simply because the women allegedly involved would not file an official complaint because of their concerns about peer pressure. Again these women feel extremely vulnerable working in an atmosphere and environment dominated by male coworkers. We're also talking about individuals who are acting as peace officers, who allegedly committed a very violent crime against two women within the ministry.

Again all I can ask for is the assurance of this minister that he will report back to this House as quickly as possible if indeed these allegations have merit, and what action he's taking. Also, I would ask that he pursue as to the manner in which this was dealt with internally within his ministry.

Hon Mr Pilkey: I can take from the questioning now and understand that it may well not have come to my attention because no one did proceed. These are apparently allegations which no one was prepared to substantiate.

Notwithstanding that, I am very pleased, and anxious as a matter of fact, to review any such allegations with respect to my ministry, the Ministry of Correctional Services, and I will be very pleased to ensure that the appropriate information is found out and actions taken.

ALTERNATIVE FUELS

Mr John C. Cleary (Cornwall): My question is to the Minister of Agriculture and Food. I firmly believe that developing ethanol fuel in Ontario by Ontarians could go a long way in turning around this economy. By using this environment friendly fuel alternative, Ontario could be saving renewable natural resources while increasing markets for our hard-pressed farmers.

Should the government of Ontario decide to pursue this industry, over 5,000 jobs could be created province-wide. As we become daily more aware of the need to protect and preserve our environment, as we continue to experience job losses almost daily and the irony of farmers turning to food banks continues, I wonder what project other than developing ethanol fuel could be more tailored to respond to the dire situation of farmers, the environment and all of Ontario.

So important could ethanol fuel be for the province that I have stood in this Legislature many times pleading with the Minister of Agriculture and Food to heed this opportunity being offered by the Seaway Valley Farmers Energy Cooperative, yet the minister remains doggedly unmoved over this opportunity.

In fact just this morning the Minister of Agriculture and Food's assistant informed my office, "We are still mulling over what we are going to put into the industry's discussion paper, so unless there is something other than deadlines to discuss, I am not sure there's a whole lot to talk about." I'll repeat that: "Other than deadlines." Minister, what else could there be to talk about?

I ask the Minister of Agriculture and Food: When are you going to act? Are you willing to dither away time and potential jobs as this opportunity relocates in another province?

Hon Elmer Buchanan (Minister of Agriculture and Food): I appreciate the member for Cornwall's support for the ethanol industry. I think he's heard me say before, and in fact the Minister of Energy as well, that we support the production of ethanol in Ontario and we certainly would like to see it happen in eastern Ontario as well as in other sections of the province.

In response to the member's earlier questions, I told him that we have an interministerial committee which is reviewing ethanol. The member also knows that there are 13 or 14 other organizations in the province that are very interested in pursuing the production of ethanol. There is a report being prepared which will provide guidelines and directions for any assistance that might be provided for the Seaway Valley cooperative organization or any other organization.

I met this morning with the Minister of Energy. We reviewed what is coming forward, and in fact we will continue to support ethanol and very much appreciate the member's support. We will in fact do everything we can to support the Seaway Valley cooperative's initiatives.

Mr Cleary: Despite all your talk about interministerial discussions, reports and provincial strategy, it is evident that developing ethanol fuel cannot bear any more of your delays.

The Seaway Valley Farmers have exclusive rights until July 1 to a unique technology required to make ethanol economical. Then, Minister, you personally requested that you should receive an extension until July 15th—today is the 14th, the 15th tomorrow—which they did. I must mention that the Seaway Valley Farmers were approached by Quebec officials indicating Quebec's willingness to develop ethanol fuel as soon as possible.

1440

I stress that these out-of-province talks will not affect just the Seaway Valley Farmers; they will also affect all the farmers across this province. The environment needs preservation, which ethanol offers, and indeed all of Ontario needs an ethanol industry. Are you finally going to act in the necessary and appropriate manner by responding to the Seaway Valley Farmers Energy Cooperative? Are you willing to be personally accountable to the farmers, the environment and all Ontarians seeking jobs by letting this proposal slip into another province?

Hon Mr Buchanan: We certainly would like to see the Parteq technology developed and used here in Ontario. There is one minor omission in the member's question. The Parteq technology needs to have some kind of pilot test done to make sure it's economically viable in any large-scale production. Those tests have not been done. We are very interested in having those tests done as quickly as possible so that the Seaway Valley cooperative or another organization can get on with the production of ethanol, which of course is a very environmentally friendly fuel, and we support what the member says with regard to that.

INVESTIGATION INTO CHILD ABUSE

Mr Robert W. Runciman (Leeds-Grenville): I have a question for the Solicitor General. I've sent the minister a copy of an article from the Ottawa Sun concerning the ongoing police investigation into alleged cases of child sexual abuse in the town of Prescott in eastern Ontario. The headline reads "Funding Threatens Sex Abuse Probe." It's known as Project Jericho within the OPP.

The story outlines that police and child welfare workers fear that suspected child molesters will go free because provincial funding for the Prescott sex abuse investigation is running out. The Sun story goes on to say that as many as 46 child sex abuse charges may never be laid because of the mounting costs of the investigation.

Could the minister indicate to the House today if indeed adequate funding is going to be committed to Project Jericho, and if not, why not?

Hon Allan Pilkey (Solicitor General): Funding is being provided, and I'm not aware of any situation why it wouldn't continue to be. These are matters that are very serious indeed and ones which cannot be allowed in our institutions now or in the future, and those that have occurred in the past need to be remedied.

Mr Runciman: Local officials need to be contacted by the minister with respect to this matter, not only the OPP but also children's aid officials, who are very concerned. We are talking about a very small municipality with about 5,000 people. To have the suggestion even floated that child molesters possibly are going to be allowed to go free because funding is not going to be made available to complete these investigations is not only detrimental to the community at large, but leaves a cloud hanging over all those individuals who may be under suspicion.

As you well know, Mr Speaker, in a small community those kinds of things are not kept under wraps very well. So again I urge the minister, if he'll commit himself today, to follow up on what he said here and communicate with the OPP regionally to assure those officials that funding will be made available.

Hon Mr Pilkey: The member had my initial response. I think it was quite clear and it remains unaltered.

HOSPITAL SERVICES

Mr David Winninger (London South): My question is to the Minister of Health. In my riding of London South there is a good deal of concern about the campuses of Victoria Hospital. Ten years ago, a former Conservative government of Ontario began development of the Westminster campus site of Victoria Hospital without a firm commitment to see it through financially. This situation was left unresolved by the former Liberal government. Today we find patients must often be transported from one site to the other, often while they are critically ill, to receive some services. Most operations are performed at the South Street hospital, but diagnostic tests are performed at Westminster campus.

The final report of the Comprehensive Health Planning Commission of Southwestern Ontario identified rationalization and consolidation of the South Street and Westminster campuses of Victoria Hospital to be a top priority for

our province's health planning. Minister, how is this government moving to consolidate Victoria Hospital in London South to end potential treatment delays and hospital resource waste?

Hon Frances Lankin (Minister of Health): I thank the member for his question. While his lead-in is quite factual in terms of the history of this, I would say it should be stated without blame towards previous governments. One thing I've learned since being in this portfolio is that the time for good health planning in terms of capital expenditures is considerable. What the project here has gone through over the period of time, although lengthy, I think will result in a much better delivery of the health care system in terms of the integration of that in the city of London.

The previous government did appoint the comprehensive health system planning commission. It's normally referred to as the Orser report. The member's quite right: This was identified as a high priority. He's also right in talking about not just consolidation of the services on one campus but rationalization of services among the hospitals in the London area.

Currently, through the district health council, we are leading a conjoint planning process with the council of teaching hospitals so that we can get the answers to what services are going to which campuses to be able to effect the consolidation. In the meantime, there are some small consolidation projects going ahead funded by the ministry, some that the hospitals are doing, but the big project is still to come and we do remain committed to achieving that.

Mr Winninger: I understand that the London teaching hospitals' council has submitted a plan to the ministry. When can the people of London South expect to see—

Mr Chris Stockwell (Etobicoke West): You missed the answer. Put it in your press release. She said nothing—

The Speaker (Hon David Warner): Order.

Mr Winninger: —the ministry's response to the draft plan of the London teaching hospitals' council to consolidate services of all three teaching hospitals in London?

Hon Ms Lankin: I'll try and answer that question. I actually had trouble hearing part of it. One of the members from the third party is busy, I guess, making extra comments on this. I think the question was with respect to the process of the London teaching hospitals' council on conjoint planning.

What I referred to in my first answer is that the process is being led by the district health council. It is a community-led process at this point in time. That process of planning, of rationalization of services, of trying to end duplication, of trying to take money out of the system that it isn't necessary to spend on duplication of administration and put it into delivery of services to people is a process that will be dictated by the local planning process.

I am unable at this time to give the member an assurance of a time frame. The local community will respond to me and then we'll try and take action at that point in time.

YOUTH EMPLOYMENT

Mr Alvin Curling (Scarborough North): Mr Speaker, on June 5, 1992, the parliamentary assistant to the

Premier announced that your government would make available \$20 million through Jobs Ontario Youth to create 8,500 summer jobs. At the time of the announcement, the parliamentary assistant indicated that the program would have a particular focus on black youth and that a special effort would be made to reach out to black youth. Could the Minister of Education tell us what direction or guidelines his ministry has given the youth employment centres and all the agencies participating in this program in order to assist them in fulfilling this mandate?

Hon Tony Silipo (Minister of Education): I think the member raises a very important question and one that, rather than answer today in a very general way, I'd prefer to come back and give him a very specific answer to. I'll take that under notice and return with a more succinct answer.

Mr Curling: This is rather shocking. A program of \$20 million was announced and the minister doesn't know the guidelines.

While you're at it, Mr Minister, let me just give you an incident. Yesterday, my office was in contact with a black woman whose daughter had been told by counsellors at the youth employment centre in North York that she looked white and was therefore not eligible to apply to the program as a racial minority. According to the applicant's mother, the counsellor at the centre told her that 80% of the positions were being held for black youth, with the other 20% going to all others, including members of other minority groups.

She was then told that in any case her daughter was clearly not disadvantaged. Explaining this comment, the counsellor noted that the applicant was wearing a sweater with a private school insignia. The applicant was also asked if she had ever been pregnant or had an abortion and was subjected to many other equally inappropriate questions.

Something is clearly wrong with the way in which this program is being administered. I am really appalled to know that you don't know of the guidelines and direction being given to these counsellors. Minister, what more do you intend to do about this situation?

Hon Mr Silipo: I want to say to the member that he's incorrect when he states that I'm not aware of the guidelines. I'm aware of the guidelines in a general way. However, given the specificity of the question, to do justice to the question he's asked, I've chosen to take the issue under advisement and to come back with a more specific answer for him.

With respect to the point he raised in his supplementary, I would share his concerns if the things he has set out in his supplementary are indeed happening. I would also say to him that I will look into those matters and report back to him, I hope by tomorrow, with some very clear answers to the questions he's raised.

1450

PRICING OF WINE AND BEER

Mr Ted Arnott (Wellington): My question is to the Minister of Consumer and Commercial Relations. The minister will know that the tourism and hospitality people in Ontario are being hammered by high taxes by all three

levels of government, by the continued effects of the recession and now by bad weather this summer. These three factors are combining to have a devastating effect on this important sector of our economy.

The Prince Edward Island liquor control commission, to promote tourism, has launched a pilot project allowing licensed establishments to purchase wine at a price 20% less than the basic price and, in turn, licensed establishments have reduced markups on wine; in other words, a wholesale pricing system for wine as a pilot project.

On March 31, I wrote to the minister urging her to undertake a similar program in Ontario to help our tourism and hospitality sector, and I have received no response. My colleague the member for S-D-G & East Grenville raised this issue with you, Minister, on April 28 and you replied that you were not considering a pilot project of this nature at this time.

My question is this: Will you announce today a pilot project to allow the Liquor Control Board of Ontario to institute wholesale pricing for wine to assist our beleaguered tourism and hospitality sector?

Hon Marilyn Churley (Minister of Consumer and Commercial Relations): No, I will not announce today that I will instigate a pilot project of this nature. If you haven't received a response to your letter, I believe you should receive one soon. This is not an option we are looking at at this time. I should make that very clear.

Mr Arnott: I'm very disappointed in that response and I believe the minister is continuing to overlook the effect that high taxes, in turn leading to higher cost tourism products, is having on our economy.

I move now to the question of beer pricing in Ontario. There is a great concern in the tourism and hospitality sector about the government's stated intention to establish a minimum price for beer. The Ontario Restaurant Association has estimated that almost 60,000 jobs have been lost in the restaurant and food service industry since the NDP came to power.

My question is this: What assurances can she provide that the minimum floor price for beer that she is contemplating will reflect the legitimate concerns of Ontario's tourism and hospitality sector?

Hon Ms Churley: I have been working, as have a lot of our other ministers, directly with the hotel and motel association. As the member knows, the issue around the minimum pricing on beer is one that was part of our whole discussion around the GATT issues around beer. In fact, minimum pricing is something that has existed here in Ontario I think since 1927, and to my knowledge there is no beer price at this time that in fact goes as low as that minimum pricing.

The members of the hotel and motel association and others quite understand the social reasons why we have the minimum pricing in place. In fact, it's my understanding that they are in agreement with our continuing to keep that minimum pricing in place so that we continue to maintain our social policies around the consumption of alcohol.

ONTARIO HUMAN RIGHTS COMMISSION

Mr Will Ferguson (Kitchener): My question is to the Minister of Citizenship and Culture.

Interjection: Citizenship or Culture?

Mr Ferguson: I'm sorry. Culture and Communications—

Hon Elaine Ziemba (Minister of Citizenship): Citizenship.

Mr Ferguson: I'm sorry, Citizenship.

The minister will know that many members of this House have indeed received complaints from individuals who have in the past lodged a grievance with the Ontario Human Rights Commission, and of course many of those cases are very long-drawn-out cases and have a long history with the commission and are very much dated. Could the minister please advise us how this issue is coming along in terms of her announcement last September? Last September she announced a strategy in order to clear up the backlog with the Ontario Human Rights Commission.

Hon Ms Ziemba: I'm very pleased to have this opportunity to advise the House and my colleagues in the House that last year, as we announced a very special comprehensive strategy to address the concerns at the Ontario Human Rights Commission, first of all, we addressed the backlog by assigning over 1,000 of the extremely old cases that had not been previously assigned to a very special task force. I'm very pleased to tell the House that the task force is on target and by December of this year the whole backlog will be eliminated.

At the same time, we also realized that the commission itself needed to have some very good comprehensive house and strategy initiatives addressed in the commission, and the commission's set up to look at the remaining cases. I'm very excited to announce that since 1988 we are at the very lowest of case loads in our history at the Ontario Human Rights Commission, below 2,000 cases, which includes the old backlog cases as well as the new cases.

Further to that, Mr Speaker, as you know and most members know in the House, most of the cases have taken exceptionally long lengths of time to address and to come to completion. However, because of the new training techniques—I'm sorry, Mr Speaker, but this is a very important issue, I know, to my colleagues and all sides of the House.

The Speaker (Hon David Warner): Could the minister conclude her response, please.

Hon Ms Ziemba: Because of these important measures, over 50% of the new cases coming in have been completed in less than six months, and this is a remarkable improvement to the Ontario Human Rights Commission.

1500

LANDFILL

Mr Gregory S. Sorbara (York Centre): I have a question for my friend the Minister of the Environment, if she'd want to move back to her place in the Legislature. Obviously, once again the question relates to Bill 143, the garbage bill, the bill that gives the Minister of the Environment the power to order York region to create a massive

dump within its boundaries to provide for the people of Metropolitan Toronto's waste over the next 20 years.

The minister says she is not going to be sensitive to the concerns of citizens. She says she's not going to be concerned that her bill is now the subject of a constitutional challenge in our courts. She cares very little about the fact that municipal politicians right throughout the greater Toronto area have soundly rejected her bill. She cares very little that every editorialist in the province has said that she is on the wrong track.

The minister has established an Interim Waste Authority, which is charged with the burden of identifying an appropriate site for this megadump, but the Interim Waste Authority can't do its work until the minister herself complies with the act.

I want to point out to her that section 14 of the bill requires that the Minister of the Environment provide the Interim Waste Authority with a written estimate as to how much garbage is going to be diverted from the waste facility—

The Speaker (Hon David Warner): Could the member place his question, please.

Mr Sorbara: —by virtue of her waste reduction efforts and recycling and reuse of products which would otherwise find their way into landfill sites. Will you explain to this House, the people of York region and the people of the province why you haven't complied with your own piece of legislation and provided to the Interim Waste Authority those written estimates which you're required to do under your very own bill?

Hon Ruth A. Grier (Minister of the Environment): The explanation is very simple. Of course that is what the waste reduction office of the Ministry of the Environment will do. That's why we required ourselves to do it in the legislation. The waste reduction office has been established now for a year and has a number of consultation papers out with respect to the regulations that will shortly be brought in and will ensure there are waste reduction action plans in place in industries, in institutions and in businesses, not only in the greater Toronto area but across the province.

Based on the actual tonnages and estimates as a result of the actions we anticipate will be taken and have been taken around the greater Toronto area, we will then supply that data to the Interim Waste Authority.

Mr Sorbara: I can't believe what the minister is saying. She says, "That's something that we will do." Right now the Interim Waste Authority is trying to narrow down and select a site, but it can't possibly know how large a site to identify and what kind of site to identify until it has the written estimates the minister is supposed to provide.

You can't have it both ways. Either you have to tell the Interim Waste Authority to stop its site selection process until you've provided those written estimates or you have to provide the written estimates. Which is it going to be? How do you expect them to narrow down their site selection process if they don't have the primary information they need to identify what kind of site they're going to need? Are you going to call them off or are you going to provide the written estimates? What is it going to be?

Hon Mrs Grier: I'm certainly not going to call them off. I understand the drift of the member's question. The targets of 25% reduction by the end of 1992 and 50% by the year 2000 are certainly the targets that we have accepted and that we are putting in place programs to achieve. Those are the initial estimates the Interim Waste Authority has identified as it goes around its site selection process. The refining of those figures and the plans that will enable us to be assured that we are getting there will of course be provided to the Interim Waste Authority.

In the preamble to his question the member stated what he believes my position and my insensitivity are and made these extravagant statements based on very little fact. Let me say to the member that I know very well there are people in York region who don't want landfill sites.

Mr Sorbara: There's no way we can accept it, and we will defeat you.

The Speaker: Order, the member for York Centre.

Hon Mrs Grier: But he may be very interested to know that I also have land owners in York region who are filing suits because their properties are not on the long list of sites. So there is no way that one can in fact please everybody in York region.

ST JAMES SCHOOL

Mrs Margaret Marland (Mississauga South): My question is for the Minister of Education. On July 2 the minister wrote to the Dufferin-Peel Roman Catholic Separate School Board announcing a Jobs Ontario Capital grant of \$798,000 towards \$1 million of renovations to St James school.

For seven years I've raised with successive Liberal and NDP ministers the plight of St James school, where 70% of the students are in portables and there is no gymnasium. The parents, students and educators of St James have also pleaded with the provincial government to correct the school's physical shortcomings. Their most recent letter to the minister was on May 11.

While the grant is welcome news, the original project cost estimation of \$1 million has escalated in seven years to \$2.5 million. Thus the board will be unable to complete the needed renovations and addition without more funding.

My question, Minister, is: Why have you provided insufficient funding to complete the renovations and addition so urgently needed at St James school?

Hon Tony Silipo (Minister of Education): The funds that we provided through the Jobs Ontario Capital fund were to assist school boards that, first of all, on the basis of need were able to demonstrate they were projects that required the funds now and, second, that could get the construction going right away. As I think the member knows, we still have to allocate the 1995-96 capital allocation. We are working now on completing the work within the ministry to deal with those decisions that need to be made so that we can announce those projects.

I have no idea whether this is one that will be on the list that will come from the school board in that respect, because we've also made it clear to school boards that we want them to prioritize the projects with respect to the

ongoing capital funds as opposed to the ministry being involved in that exercise. That's an issue I presume we'll continue to examine.

In terms of the specific grant that we provided, my understanding was that this came as a result of the requests from the school boards we had before us through the regional offices. On the recommendation of the officials, we looked at a variety of funds that could be provided throughout the province to assist projects that could get going right away.

Mrs Marland: This school's been on the list for that school board for seven years now. This minister's approach to capital funding can be described as haphazard at best. The Dufferin-Peel Roman Catholic Separate School Board has received this special grant for St James school, yet it is July and the board still hasn't heard about its capital allocation for this year. Usually the ministry makes these announcements in April. I don't know how the minister expects school boards to budget for capital expenditures.

The Dufferin-Peel Roman Catholic Separate School Board fears that there will be no capital allocations for new pupil places, despite the high growth rate in Dufferin and Peel. As the board chairperson, Arthur Steffler, has pointed out to the minister:

"Even with annual capital allocations, we as a board have been falling behind each year in the provision of permanent pupil places. If we miss a year of capital allocation for new places, the backlog will become unmanageable."

Mr Minister, obviously the educational capital funding process is in chaos. When can we expect your announcement of the capital allocations and what action will you take to correct this mismanagement of the whole capital funding process?

Hon Mr Silipo: I have to take some exception about the mismanagement of the capital funds. I think the member is incorrect when she states that the boards don't know their capital allocation for this year. They do. They've known that for some time. What they don't know yet is their capital allocation for 1995-96, and that, as I've indicated in the earlier response, is something that we're planning to announce some time this month. That's something school boards will know.

I think I can say that we recognize there are some problems with respect to the capital funding. We are looking at some options that are there. There were some indications in the budget that my colleague the Treasurer indicated we wanted to look at with respect to debentures and other kinds of ways of funding capital that we are going to be discussing with school boards in terms of various possibilities that exist. We will keep working away at that, but in terms of the 1995-96 capital allocation I expect to announce that later this month.

1510

NIAGARA REGIONAL POLICE FORCE

Mr Peter Kormos (Welland-Thorold): I've got a question to the Solicitor General. The Niagara Regional Police inquiry, after literally years now and millions and millions of dollars of expenditures, the vast majority of it

borne by Niagara regional taxpayers, is finally wrapping up. It's been a most unsatisfactory experience for virtually all involved. There is great concern that, notwithstanding the considerable length of time, the significant efforts of Judge Colter and the literally millions and millions of dollars of taxpayers' money, the issues that were present in the first instance still haven't been resolved.

I don't believe I'm going to have time for a supplementary, so bear with me for just a moment please, sir. The fact is that there were two significant OPP inquiries conducted before the Colter inquiry was struck. The fact is that both of those OPP inquiries resulted in significant reports prepared and the fact is that those are still being suppressed. It is the view of a large number of people in Niagara region that the contents of those inquiries and reports would provide a key, some light—

The Speaker (Hon David Warner): Could the member place his question, please.

Mr Kormos: Yes, sir; I know I don't have a supplementary—on what in fact happened. In particular, why was there no adequate response to the OPP reports? Why did we have to have a multimillion-dollar, almost four-year-long inquiry at great expense and great pain?

I ask the Solicitor General, why will he not now compel the release of the contents of those two OPP inquiries? They are crucial to understanding what happened. It is essential that we establish some credibility on this issue by releasing those reports. Why won't those be released? There's no good reason for them not to be made public.

Hon Allan Pilkey (Solicitor General and Minister of Correctional Services): As the question from the member indicated, it's almost an historical question now, the length of time this inquiry has proceeded. As the member indicated, there were investigations by the OPP many years ago. My understanding of that matter, although I certainly wasn't involved those many years ago on this issue, is that no criminal charges were proceeded with or found. There then was a request to the Ontario civilian police commission to investigate the matter. They did so; they released a summary of their findings to the public. My understanding is that it went as well to the Niagara police services board, which in turn asked the Solicitor General of the day, back in 1987, that a public inquiry be held, and the government of the day granted it.

The Colter commission is all but wrapped up. I believe it's all been finalized. I imagine, because it spans some 20 years of investigation, that the report may not be in our hands for another six to 12 months, but we certainly look forward to the findings as they relate to the Niagara police commission and to policing generally with respect to the matter.

The Speaker: Time for oral questions has expired.

Mr James J. Bradley (St Catharines): On a point of order, Mr Speaker: I would like to seek unanimous consent of members of the House for a supplementary question for the member for Welland-Thorold.

The Speaker: Do we have unanimous consent? No. To the member for St Catharines, unanimous consent has

not been granted, although I'm sure all members appreciate the lively interest shown.

MOTIONS

CONSIDERATION OF BILL Pr46

Mr Cooke moved that standing order 85, respecting notice of committee hearings, be suspended for the consideration of Bill Pr46, An Act to revive The Mississauga Real Estate Board, by the standing committee on regulations and private bills on Wednesday, July 15, 1992.

Motion agreed to.

PRIVATE MEMBERS' PUBLIC BUSINESS

Mr Cooke moved that Mr O'Neil (Quinte) and Mr Beer exchange places in order of precedence for private members' public business and that the requirement for notice be waived.

Motion agreed to.

PETITIONS

GAMBLING

Mr Ted Arnott (Wellington): I have a petition today signed by exactly 100 people from Elora, the Knox Presbyterian Church group, Drayton, Puslinch township and Cambridge, and it reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the NDP government is considering legalizing casinos and video lottery terminals in the province of Ontario; and

"Whereas there is great public concern about the negative impact that will result from the abovementioned implementations;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government stop looking to casinos and video lottery terminals as a quick-fix solution to its fiscal problems and concentrate instead on eliminating wasteful government spending."

I've affixed my signature to this petition as well.

STANDING ORDERS REFORM

Mr James J. Bradley (St Catharines): I have a petition. I'm sorry the Premier left early and he won't hear this, but it says the following:

"To the Legislative Assembly of Ontario:

"Whereas Premier Rae of the province of Ontario has forced upon the Ontario Legislature a change in the rules governing the procedures to be followed in the House; and

"Whereas Premier Rae has removed from members of the opposition the ability to properly debate and discuss legislation and policy in the Legislature by limiting the length of time a member may speak to only 30 minutes; and

"Whereas Premier Rae, who once defended the democratic rights of the opposition and utilized the former rules to full advantage in his former capacity as leader of the official opposition, has now empowered his ministers to determine unilaterally the amount of time to be allocated to debate bills they initiate; and

"Whereas Premier Rae has reduced the number of days that the Legislative Assembly will be in session, thereby ensuring fewer question periods and less access for the news media to provincial cabinet ministers; and

"Whereas Premier Rae has diminished the role of the neutral, elected Speaker by removing from that person the power to determine the question of whether a debate has been sufficient on any matter before the House; and

"Whereas Premier Rae has concentrated power in the Office of the Premier and severely diminished the role of elected members of the Legislative Assembly, who are accountable to the people who elect them,

"We, the undersigned, call upon Premier Rae to withdraw the rules changes imposed upon the Legislature by his majority government and restore the rules of procedure in effect previous to June 22, 1992."

I have affixed my signature to this petition because I agree with it.

FRUIT GROWERS

Ms Christel Haeck (St Catharines-Brock): I have a petition which I am presenting today on behalf of 14 members of the Lowbanks Mount Carmel United Church within the Niagara presbytery of the United Church of Canada. This petition deals with the tender-fruit growers in Niagara and it states:

"Whereas the Ontario tender-fruit growers are on the verge of financial crisis,

"Therefore, we, the members of the Niagara presbytery of the United Church of Canada, petition the Ontario government to act immediately to find a solution to the economic viability of tender-fruit farms.

"Whereas the Ontario tender-fruit growers are on the verge of financial crisis; and

"Whereas the Ontario government is undertaking an agricultural land protection program,

"Therefore, we, the members of the Lowbanks Mount Carmel United Church within the United Church of Canada, strongly oppose restrictions on tender-fruit land until economic viability of the tender-fruit growers is restored."

CHILD CARE

Mrs Margaret Marland (Mississauga South): I have a petition to the Legislative Assembly of Ontario:

"Whereas the Ministry of Community and Social Services has undertaken a consultation which does not address the major policy changes inherent in its plan;

"Whereas the policy changes are basically discriminatory and will destroy 650 small businesses;

"Whereas we believe the government's commitment to child care should be in licensing and monitoring and in funding only via transfers to the municipalities to cover the costs for families in need;

"We, the undersigned, do petition the Legislative Assembly of Ontario to treat all child care operations equally, to cease funding capital and startup costs of non-profit agencies and to provide subsidies which will cover the true cost of care for the children whose parents qualify for assistance."

I have signed my name to this petition.

MUNICIPAL BOUNDARIES

Mrs Irene Mathysen (Middlesex): I have a petition signed by 56 residents of the township of Mosa, in the county of Middlesex, who respectfully ask the Legislative Assembly to set aside the findings of the Brant report for the greater London area, because these petitioners feel that the implementation of the arbitrator's report will lead to a destruction of a way of life that is very important to us in the county of Middlesex and that the county will become economically unviable and that very, very important agricultural land will be lost.

I have signed my name to this petition.

LANDFILL

Mr W. Donald Cousens (Markham): I have another 2,000 signatures from the people in Markham and Unionville, Thornhill, Milliken and Locust Hill.

"To the Lieutenant Governor in Council:

"We, the undersigned, hereby call on the government of Ontario to discontinue the consideration of locating a waste disposal site in Markham M6, the 11th concession south of Locust Hill, and the disposal site in Markham M3, north of 16th Avenue between McCowan and Kennedy, and in all other areas that are located in the immediate vicinity of environmentally sensitive areas of York region."

I have affixed my name to this petition, and there are thousands more being signed from others who also share in this deep concern.

PROPERTY ASSESSMENT

Ms Dianne Poole (Eglinton): I have a petition which has been signed by members of the Sherwood Park Residents' Association in north Toronto. It reads:

"To the Legislative Assembly of Ontario:

"Whereas it is arbitrary and demonstrably unfair to use market value as a basis for property tax assessment in a volatile market such as Metro Toronto; and

"Whereas market value assessment bears no relation to the level of services provided by the municipality; and

"Whereas the implementation of such a measure would work undue hardship on the residents of north Toronto, on our long-term home owners, our senior citizens and our tenants;

"Whereas Toronto businesses are already paying the highest property taxes in North America and will be devastated by increases of up to 50% more;

"We, the undersigned, petition the Legislative Assembly of Ontario not to impose market value reassessment on the city of Toronto against the wishes of the people of Toronto and to consider another method of property tax reform for Metro Toronto."

I have signed this petition and wholeheartedly agree with it.

1520

LABOUR LEGISLATION

Mrs Margaret Marland (Mississauga South): I have a petition.

"To the Legislative Assembly of Ontario:

"Whereas independent and non-partisan economic studies have concluded that the proposed changes to Ontario labour legislation will increase job losses; and

"Whereas they will cause a decline in investment in Ontario; and

"Whereas they will seriously undermine the recovery and the maintenance of a sound economic environment in the province,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario government declare a moratorium on any proposed changes to the labour legislation in the best interests of the people of Ontario."

I am happy to sign it.

FRENCH-LANGUAGE SERVICES

Mr Allan K. McLean (Simcoe East): I have a petition which says:

"To the Parliament of Ontario:

"Whereas the people of Canada have instructed their governments by the Charter of Rights and Freedoms to serve them fair and in accordance with the rules laid down;

"Whereas the Parliament of Ontario is violating section 15 of the charter and discriminating against the people using the English language, francophones are given the benefit of calling a 1-800 number for Ontario health insurance free of charge, but English-speaking people are not given this benefit; they must pay for their call, there is no 1-800 number for them;

"Whereas section 15 reads: 'Every individual is equal before and under the law and has the right to equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability,

"We, the undersigned, petition the Parliament of Ontario as follows:

"Provide a free 1-800 number for anglophones also when telephoning the Ontario health insurance or dispense with the 1-800 number for francophones so that there is equality as required by the charter."

That's signed by Henry Freitag and Massey Asadoorian of Penetanguishene, and I've also signed my name.

LANDFILL

Mr Larry O'Connor (Durham-York): I have a petition here to the Legislative Assembly:

"Whereas the town of Georgina has traditionally been a mixture of agricultural and residential land, both areas which would be drastically affected by a megadump; and

"Whereas the town is a significant tourist area from which much of the town's economy is generated, the tourism industry is now being threatened by plans of the Interim Waste Authority to create a megadump in the heartland of this tourist playground; and

"Whereas most of the people in Georgina depend on groundwater for their drinking water; and

"Whereas the effects of a megadump on the water supply to this area and Lake Simcoe would be catastrophic; and

"Whereas the land currently labelled 'potential landfill site' is prime agricultural land,

"We, the undersigned, petition the Legislative Assembly as follows:

"We oppose the Interim Waste Authority's proposal to take prime farm land in the heart of the town's tourist area, Georgina, to turn it into a Metro's and York's megadump;

"We further petition the Legislative Assembly to renew their efforts to seek and entertain alternatives to landfill and to implement aggressive reduce, reuse and recycle programs."

It's very similar to petitions I have presented from East Gwillimbury and Whitchurch-Stouffville, and I sign my name.

CHILD CARE

Mr Michael D. Harris (Nipissing): I wish to present a petition to the Legislative Assembly of Ontario as follows:

"Whereas the Ministry of Community and Social Services has undertaken a consultation which does not address the major policy changes inherent in its plan;

"Whereas the policy changes are basically discriminatory and will destroy 650 small businesses;

"Whereas we believe the government's commitment to child care should be in licensing and monitoring and in funding only via transfers to the municipalities to cover the cost for families in need,

"We, the undersigned, petition the Parliament of Ontario to treat all child care operations equally, to cease funding capital and startup costs of non-profit agencies, to provide subsidies which will cover the true cost of care for the children whose parents qualify for assistance."

This is signed by some 500 petitioners, and I too have affixed my signature in concurrence with the petition.

CONSTITUTIONAL REFORM

Mrs Margaret Marland (Mississauga South): I have a petition to the Legislative Assembly of Ontario:

"Whereas we, as citizens of the province of Ontario, believe the Constitution of any genuinely democratic society truly belongs to its people and that our views on any changes to Canada's Constitution must be heard, and final approval of such changes must be given by the citizens of Ontario;

"Whereas up to this time there has been very limited opportunity for input from grass-roots Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We request of you who administer the affairs of this province to make available every opportunity for the people to see and understand fully what the new Constitution, and/or any amendments thereto, will mean to each of us, and then make provision for a final 'say' by the people of Ontario by way of a binding referendum."

STANDING ORDERS REFORM

Mrs Joan M. Fawcett (Northumberland): I have a petition to the Legislative Assembly of Ontario:

"Whereas Premier Rae of the province of Ontario has forced upon the Ontario Legislature a change in the rules governing the procedures to be followed in the House; and

"Whereas Premier Rae has removed from members of the opposition the ability to properly debate and discuss legislation and policy in the Legislature by limiting the length of time a member may speak to only 30 minutes; and

"Whereas Premier Rae, who once defended the democratic rights of the opposition and utilized the former rules to full advantage in his former capacity as leader of the official opposition, has now empowered his ministers to determine unilaterally the amount of time to be allocated to debate bills they initiate; and

"Whereas Premier Rae has reduced the number of days that the Legislative Assembly will be in session, thereby ensuring fewer question periods and less access for the news media to provincial cabinet ministers; and

"Whereas Premier Rae has diminished the role of the neutral, elected Speaker by removing from that person the power to determine the question of whether a debate has been sufficient on any matter before the House; and

"Whereas Premier Rae has concentrated power in the Office of the Premier and severely diminished the role of elected members of the Legislative Assembly, who are accountable to the people who elect them,

"We, the undersigned, call upon Premier Rae to withdraw the rule changes imposed upon the Legislature by his majority government and restore the rules of procedure in effect previous to June 22, 1992."

I have affixed my signature.

CHILD CARE

Mr Cameron Jackson (Burlington South): I have a petition with several thousand signatures to the Legislative Assembly of Ontario:

"Whereas the Ministry of Community and Social Services has undertaken a consultation which does not address the major policy changes inherent in its plan;

"Whereas the policy changes are basically discriminatory and will destroy 650 small businesses"—namely, day care centres;

"Whereas we believe the government's commitment to child care should be in licensing and monitoring and in funding only via transfers to the municipalities to cover the costs for families in need,

"We, the undersigned, do petition the Legislative Assembly of Ontario to treat all child care operations equally, to cease funding capital and startup costs of non-profit agencies, to provide subsidies which will cover the true cost of care for the children whose parents qualify for assistance."

I have assigned my signature in support as well.

ORDERS OF THE DAY

TIME ALLOCATION

Mr Cooke moved government notice of motion number 12:

That one further sessional day shall be allotted to the second reading stage of Bill 40, An Act to amend certain Acts concerning Collective Bargaining and Employment. At 5:45 pm on this day the Speaker shall interrupt the proceedings and shall put the question without debate.

That the standing committee on resources development shall meet to consider the bill as follows: five weeks, including up to three evening meetings per week, to receive public submissions, commencing Tuesday 4 August 1992. Further, that the committee be authorized to meet for clause-by-clause consideration of the bill following routine proceedings on the first eight sessional days of the fall meeting period of the House. All proposed amendments shall be filed with the clerk of the committee by 4 pm on the day prior to the last day on which the committee is authorized to consider the bill clause by clause. At 4 pm on the last day on which the committee is authorized to consider the bill clause by clause, those amendments which have not yet been moved shall be deemed to have been moved and the Chair of the committee shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto. Any divisions required shall be deferred until all remaining questions have been put, the members called in once and all deferred divisions taken in succession. The committee shall report the bill to the House on the first available day following completion of clause-by-clause consideration that reports from committees may be received. In the event that the committee fails to report the said bill on the date provided, the bill shall be deemed to be reported and received by the House.

That upon receiving the report of the standing committee on resources development, the Speaker shall put the question for adoption of the report forthwith, which question shall be decided without debate or amendment.

That two sessional days shall be allotted to further consideration of the bill in the committee of the whole House. All amendments proposed to be moved to the bill shall be filed with the Clerk of the Assembly by 4 pm on the last sessional day on which the bill is considered in the committee of the whole House. Any divisions required during clause-by-clause consideration of the bill in the committee of the whole House shall be deferred until 5:45 pm on the last sessional day that the bill is to be considered in the committee of the whole House. At 5:45 pm on that sessional day, those amendments which have not yet been moved shall be deemed to have been moved and the Chair of the committee of the whole House shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto and report the bill to the House. Any divisions required shall be deferred until all remaining questions have been put, the members called in once and all deferred divisions taken in succession.

That upon receiving the report of the committee of the whole House, the Speaker shall put the question for adoption of the report forthwith, which question shall be decided without debate or amendment.

That two further sessional days shall be allotted to the third reading stage of the bill. At 5:45 pm on such day, the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment.

That in the case of any division in the House relating to any proceedings on the bill, the division bell shall be limited to 15 minutes.

That this resolution be subject to change upon the agreement of the three House leaders.

The Speaker (Hon David Warner): Is it the pleasure of the House that the motion carry? Does the minister have any opening remarks?

Hon David S. Cooke (Government House Leader): Yes, very briefly. This notice of motion is a time allocation which will set out how Bill 40, the Labour Relations and Employment Statute Law Amendment Act, will be handled over the next several stages in the Legislature.

This motion provides for one more day of second reading debate, and I would remind the House that we had three days—did you want to say something, Mr Speaker?

The Speaker: Could the government House leader notify the Chair if there's been an agreement with respect to the division of time?

Hon Mr Cooke: There's been an agreement that the time will be split three ways equally for debate, until 5:45.

The Speaker: Agreed? Agreed.

1530

Hon Mr Cooke: This motion comes after we have already had three days of second reading debate last week and then yesterday we had debate on the Ontario Labour Relations Act until 10 o'clock last night. The next stages of this will provide for one more day of second reading debate tomorrow with a vote to take place at 5:45 or 5:50 tomorrow afternoon. The bill then will be referred to committee, and in committee there will be five weeks of public hearings.

In the motion, the provision also has five weeks of public hearings, with three evenings provided per week as well, which really works out to well over six weeks of public hearings on this particular bill. Then provided for in the resolution are two weeks, or eight sessional days, to deal with the bill clause-by-clause. Then the bill will be reported to the House. It provides for an additional two days in committee of the whole to deal with the bill again on clause-by-clause, and then provides for a couple more days on third reading of the bill.

This isn't the first time a time allocation motion has been presented in the House. It was even presented on occasion by the Liberal Party when it was in power. But they seem to forget those types of things.

It's important to very briefly run through what has gone on in the last couple of weeks in the Legislature. There has been discussion in several House leaders' meetings to try to work out how we are going to deal with the Labour Relations Act. We negotiated what would happen in terms of public hearings, the five weeks plus the three evenings per week, and that was done by consensus. We looked at the amount of time it would require to deal with this bill on second reading, and yes, I tabled a time allocation motion last week, this time allocation motion which upset the opposition parties, after the three days provided for in the rules of this Legislature.

We will continue to disagree about the conversations we had as House leaders, and I would leave it to the House leader for the third party, if he feels like talking about it, who sat in on the meetings where we talked about approximate time frames for second reading on the Ontario Labour Relations Act. Suffice it to say the House leader for the official opposition does not agree with the position I put forward in the time allocation motion last week, and as a result of the reaction from the opposition party I did not call the time allocation motion last Thursday. Instead we sat down and we attempted to negotiate how the bill would be dealt with at second reading. We had already come to an agreement on how we would deal with this bill for public hearings.

Yesterday we had from just before 5 o'clock until 10 o'clock last night, and I must say I indicated, and I think it was concurred with by the House leader for the third party, that we could sit later than 10 o'clock last night, but the agreement was 10 o'clock. I also offered to sit tonight on second reading of the debate till 10 o'clock, 11 o'clock, 12 o'clock, whatever it would take tonight in order to get through the remaining speakers for both the Conservative Party and the Liberal Party.

That offer was agreed to by the Conservative caucus. They were prepared to sit tonight in order to finish second reading and then defer the vote till tomorrow. At its meeting today the Liberal caucus decided instead to refuse to sit past 6 o'clock tonight and to refuse to give any indication—or firm indication, to be completely fair—of when we would finish second reading of the Ontario Labour Relations Act.

As House leader for the government, there has to be some plan of when we are going to finish second reading. We have already had considerable amounts of time. I can only assume, from the game that is being played here today and was played in the negotiations we've had, that the Liberal Party doesn't want to come to an agreement on how we're going to handle this piece of legislation in the House.

I can understand that. When I was in opposition and when there was a contentious piece of legislation, sometimes it was advantageous for an opposition party to say to the government: "No, we're not going to agree to anything. You're going to have to bring in time allocation. You're going to have to bring in closure. We've got to show our constituency, the people who are opposed to this legislation, that we fought it as hard as we can." I can only assume that must be the strategy of the Liberal caucus, or whatever reason. They did not want to sit down and negotiate an arrangement of how we would deal with this bill on second reading.

But I would say to you again that we had three days last week on second reading, that we had a day yesterday where we went until 10 o'clock at night, that there was an offer that we would go tonight to 10, to 11, to 12, whatever it took to get through the speaking list of the opposition parties in order to speak on the Ontario Labour Relations Act. That offer was rejected by the Liberal Party. It was agreed to by the Conservative Party. I can only think that the Liberal Party has very little interest in getting comments on the

record when it comes to its opposition to the Ontario Labour Relations Act. They are more concerned with trying to showboat and trying to oppose at every step of the way.

They have a responsibility as an opposition party to oppose whatever legislation they feel very strongly about. But I also have a responsibility, as the government House leader, to make sure the government agenda gets through the Legislature. I believe this motion is a responsible motion. I believe it provides for adequate discussion at second reading, which has been cut short at second reading not by the actions of this government, but the second reading debate has been cut short by the refusal of the Liberal Party to sit past 6 o'clock tonight and come to a negotiated settlement on how we would deal with second reading.

If the Liberal Party wanted to discuss this bill on second reading, it had that opportunity. They cannot stand up in the House today or any other day and say that we are cutting off debate on the Ontario Labour Relations Act. They cut off debate themselves by refusing to sit tonight and that is the fact. The Conservative Party agreed, the government agreed and the Liberal Party rejected. They have cut off debate on the Ontario Labour Relations Act by their decision today.

The balance of the debate on this bill will be dealt with as it is provided for in the motion. There will be one more day of second reading tomorrow. There will be five weeks of public hearings, with three evenings per week so that not only will people be able to come during the day, but people who are unable to come and appear before the committee during the day will come at night. Then we will have eight sessional days for clause-by-clause and we will have two more days in committee of the whole and two more days at third reading.

I think this is a responsible motion. I think the more appropriate approach would have been to have a negotiated agreement for second reading. That became impossible today, based on the decision of the Liberal Party. The Liberal Party is cutting off debate on the Ontario Labour Relations Act and therefore this motion had to come forward and I encourage members of the Legislature to support the motion.

Mrs Margaret Marland (Mississauga South): On a point of order, Mr Speaker: I am sorry to do this, but I would like to ask the permission of the House to revert to bills for a bill that is scheduled before a committee tomorrow, if I could have agreement of the House.

The Acting Speaker (Mr Dennis Drainville): Is there consent that Mrs Marland present this bill? There is unanimous consent.

INTRODUCTION OF BILLS

MISSISSAUGA REAL ESTATE BOARD ACT

Mrs Marland moved first reading of Bill Pr46, An Act to revive the Mississauga Real Estate Board.

Motion agreed to.

1540

TIME ALLOCATION

Mr Sean G. Conway (Renfrew North): I want to take the opportunity this afternoon to speak to government notice of motion 12, and I will not concern myself with the remarks made by the government House leader. I think those are better responded to by others, particularly by the opposition House leaders. I just want to make some comments today about the process and about—

Interjections.

The Acting Speaker: Order, please.

Mr Conway: I will try to be moderate and I will try to be balanced. It's not easy on this motion. It's not easy on this particular policy. I want to say again that I fully appreciate the government's desire to proceed with this business. I have no quarrel with their right to bring forward this kind of legislation. I have every expectation that in the course of this Parliament they will seek to pass this kind of bill, which in their view reflects the kind of labour relations policy they feel they have a mandate to impose on the people of Ontario. That right they won on September 6, 1990, and it's not for me as a member of a minority party in opposition to say they do not have that right, but I think there are some other elements of this particular motion that deserve some discussion today.

I think some of the senior, thoughtful and fairminded members of the government will know something of what I will now say. For anyone to stand in his or her place today and say that the Liberal opposition seeks to restrain debate on the labour relations policy that is contained in Bill 40 is, to be polite, laughable. There are more accurate words in the English language to describe what that kind of analysis stands upon. I want to say, Mr Speaker, to you and to the viewing audience, that I know I am engaged now in a theological debate with my friends opposite. I might as well engage the College of Cardinals in Rome in a debate on the efficacy of papal infallibility.

There is to a very real extent a pointlessness in discussing some of this with my friends in the New Democratic Party. I have been struck, for example, by the agitation and the anger of members on the government benches when people like the member for Waterloo North spoke to the bill last week. It is very clear that this is a matter of high religion with the New Democratic Party, and I would say quite honestly that those of us not of that party should not be surprised that it is so. If I had any expectation of a government that has strong and very many connections to organized labour, it would be that in the course of a mandate of over five years I should expect that they would do some things in the area of labour relations policy. I am not surprised that they are doing this and I am not surprised that theirs is such a theological commitment.

But having observed that, I want to say that what we have in government notice of motion 12 is the following timetable. I don't think there is anyone here who is going to or who can—

Interjection: Nobody is even watching.

Mr Conway: Someone says behind me, "No one is even watching." I suspect very few are even listening, but there's going to come a time when people are going to listen to what Bill 40 was all about and there is going to come a time when my friends opposite are going to remember the day that this government notice of motion 12 was passed, because I think by any judgement, by any standard, Bill 40 is one of the most important legislative initiatives the Rae government will proceed with over the course of its five-year mandate.

My friend the member for Cochrane North nods approvingly, and I agree with him. In fact I would submit that Bill 40 will be the most important piece of public business this government will enact in the course of its five-year mandate. They will do many other important things, but I submit there will be nothing actually in the four-year, nine-month mandate of the Rae government that will be as important both to the government and to the province as a whole as Bill 40.

Having said that, let me now ask members and the public beyond to reflect on the timetable that will now govern the passage of this very important piece of government legislation. Bill 40, this very important legislation, will have been introduced on the fourth day of June 1992 and, according to the government motion that will be passed here today or tomorrow, it will have been completed through all stages of Legislative debate, including public hearings, in four months.

That is unprecedented. It is absolutely unprecedented. You cannot find the equivalent of that anywhere in the annals of Ontario's legislative history. I only observe that because I want, as part of my strategy—since my motives were just transparently impugned a few moments ago, but allowed, so I don't feel particularly bad about that—to be very frank about what some of my motives are.

One of my motives in this process is to slow this train down.

Hon Gilles Pouliot (Minister of Transportation and Minister Responsible for Francophone Affairs): Oh, now we know.

Mr Conway: Absolutely. I want to be very frank. I will tell you what I've told people in my constituency, because this is so important. I want to say again that I do not dispute the right of the government to move forward and enact this kind of legislation. If I took that position I should be written off as some kind of really hateful, miserable oppositionist.

Hon Floyd Laughren (Deputy Premier, Treasurer and Minister of Economics): Never.

Mr Conway: My friend the member for Nickel Belt rightly observes that while I have many faults, those are not in the category of my shortcomings.

But this is very important. It is going to touch upon—

Mr James J. Bradley (St Catharines): You are now being reprimanded by the government House leader.

Mr Conway: Well, I just want to say that part of my objective is to slow this train down, because it is absolutely unprecedented that this or any government in this jurisdiction would introduce a bill of this kind on the 4th

of June 1992 and expect to have that bill given royal assent on or about Thanksgiving of the same year. That is mind-boggling. My friends, particularly the Treasurer, know that.

Hon Mr Laughren: You leave me out of this.

Mr Conway: He says, "Leave me out of this." If I were the minister of finance for the province I would not want to be left out of this, because of course I couldn't be left out of this.

Let me just say this for my friends opposite: A bill of this import and consequence introduced on the 4th of June and expected to, and now in fact will, be completed through all stages and on His Honour's desk by Thanksgiving of the same year is unprecedented. If that's what you want, I want you to think about that, because there will come another day, another decade, when there may be another government.

Hon Mr Pouliot: You've been stalling this for a year and a half. Call it what it is, Sean.

Mr Conway: My friend the minister of highways says we've been stalling it for a year and a half. That's not true. My thoughtful friends in the government understand that you cannot bring forward this kind of legislation and expect that you're not going to encounter significant resistance. I have said ad nauseam in this place in the last couple of years that I was once charged with the responsibility of taking a bill through this place which had all-party support, but it was admittedly a bill of some significance to the community, and from beginning to end that very contentious bill, with all-party support, took 14 months.

I'm not suggesting it had to be that long, and I'm not here arguing. In fact, I've said that many of these rule changes I can live with, but it is how they are applied. I ask my friends opposite, particularly the thoughtful ones who may in fact be here another day, because for those who are only going to be here for one Parliament—and that will probably be at least 50% of this assembly—this debate is totally irrelevant.

1550

But I want to say to my friends in the New Democratic Party that if a Harris government or an Eves government or a John Tory government or a McLeod government were in another day to move forward and bring this kind of a timetable to legislation having regard to the vital interests of, say, the labour community or the social activist community, I say to my friend the Minister of Health that she would be absolutely and rightly apoplectic. The idea—and I want to say it again—of a very important bill expected to be completed from the date of introduction to the date of proclamation in four months is the real issue in this debate this afternoon, and that is what I want to speak to.

As part of that, there may be people on the street who don't understand some of what the government House leader was saying, but just so no one misunderstands, let me just say what this time allocation provides the public. The public is going to get five weeks of hearings, and the vast majority of those hearings are going to occur between the August civic holiday and Labour Day. Anyone who knows anything about public consultation knows that is

the equivalent of having public hearings in the middle of the night, and the authors of this—

Interjection: That's when Liberals call elections.

Mr Conway: Exactly. The Liberals called elections in that period of time. In fact, the election that sent me here 17 years ago was called in early August for September 18, and I don't think it was a Liberal who called that election. The history of mid-September elections is long and varied. I can think of a number—1963, 1975, 1987, 1990—just off the top of my head, some of them called by Liberals and some by other people.

But my point is that the government is coming to this Legislature with a policy that seeks to offer public consultation in a very limited time in the pit of the summer vacation, in the dog days of summer. Whom do you think you are fooling? Whom do you think you are fooling?

Interjection: Who do you think you are fooling.

Mr Conway: That's right, it is. I stand corrected. Who do you think you're fooling? I'm trying to be restrained here, but I tell you, it's just so offensive. My friends laugh across the way.

When Evelyn Gigantes was at CBOT 15 or 18 years ago she would have had a meltdown if Bill Davis had tried this kind of a trick. The whole debate would be about process and, you see, I don't want the debate to be a debate about process because there are extremely important, substantive issues involved with this policy. But I want to say again, the Bob Rae government has brought forward enormously controversial and significant labour relations policies. They have introduced them in early June.

I don't quite frankly care as much about the fact that you want to shut me down. You've now got that right, and we will see what the future brings.

I want my friends Laughren and Lankin and others who may in fact be here another day to think about this, because another government might try to impose this on its friends in the Ontario Federation of Labour, and if it ever did under the old rules or the pre-Bill 40 rules, Mr Speaker—and it's pointless to say this to you because you're a very good new person. You have no sense of the recent history. He's a very fine fellow, and anyone who gets up and says what was said today about Bill Scott—I mean, it is a brave new world that has such people in it.

But let's make no mistake of what you're about. We heard yesterday the Minister of Labour; I heard him driving in, I heard him on the radio. He was hysterical, because of course the Canadian Federation of Independent Business and others had attacked. We have heard others in the government reel in resistance over the kind of public criticism that has been engendered as a result of Bill 40. As my friend Bradley likes to say: "You know, politics is like baseball. It's about pitching and catching." Like a lot of the rest of us, the NDP would rather pitch than catch. But Bill 40 has been catching a lot of flak.

Just to be clear, those thousands of people out there who are going to want to have a say are going to get five weeks. They're going to get the bulk of that time in the month of August and they're going to get it seven weeks after the bill has been introduced.

I know all kinds of people who are, as we speak, still doing the analysis of this very intricate, complex legislation.

It is absolutely offensive for any government, particularly a government that purports to be concerned about social democracy—not for them to bring forward this kind of bill; that is absolutely their right. But I say to my friends, as they interject and as some chew gum, don't you understand that it is truly offensive and it—

Interjection.

Mr Conway: People want to modernize this assembly. I've got a little standing order that—I'm all for eliminating the chewing of gum, speaking as a private member. Let me say this: I know smoking is difficult to forsake, but there are some requirements in modernization.

I want to make this point again. Surely my friends opposite understand that they are inviting a reaction and a resistance beyond what is perhaps even merited by following this kind of a timetable. You are shoving it in people's faces. People will have a right to be mad as hell in the middle of August when they find out they are going to have but five weeks in the middle of the summer to come to the committee, wherever it is going to sit, to speak their piece on this legislation.

We can talk and, Mr Speaker, you have talked ad nauseum about the need to clean up our act. That is an injunction that I guess we should all follow, but this timetable—I have no problem with the second reading debate concluding before we leave here. I think there's no problem and quite frankly there hasn't been a problem, because I have been here listening to most of the debate. There has been some very good debate.

The Leader of the Opposition, for example, I think spoke for 25 minutes. The spokespeople, Mr Offer and Ms Witmer, I thought gave very thoughtful, intelligent observations over the course of 90 minutes. There's been a good response. The member for Cochrane North made some very good observations, and a number of people have gotten up through questions and comments.

But this is the most important bill of the session and I believe the most important bill of the Parliament, and here we are talking about whether four or five days is enough for the House and whether or not five weeks in August, a month and a half after the bill was introduced, is appropriate and satisfactory for the province as a whole. I submit to my friends that any self-respecting person would say no.

Look at the timetable for some of the other things you're doing—Bill 150 and the advocacy bills—I'm picking just some of the things that are currently on the docket. You wouldn't have thought about it. You wouldn't have thought to have told the community concerned about advocacy and consent that they were going to be limited. If you had tried that with the advocacy bills we would've been in a hopeless mess. As it was—and I think my friend from Halton Centre was involved in a way that I wasn't—the committee process was very helpful, because effectively the bill was rewritten.

My colleague the member for Scarborough-Agincourt, the treasury critic, is telling me what's going on down

there with Bill 150. That is an incredible and a very interesting and important exercise.

So what are we doing here? We are saying, "The House is going to have to vote this before it adjourns,"—I'm quite prepared to do that—"but then, province of Ontario, you've got the month of August to have an input."

I'm going to tell you what this schedule is going to mean. It's going to mean that some time, on a day when it's 95 degrees, people from my part of the province are going to come from Pembroke, Smiths Falls, Alexandria and Cornwall, and good people from the labour council, individual citizens, people from the chamber of commerce are going to be brought in to wherever—the Chateau Laurier hotel. They're going to sit till midnight and they're going to be told, "You've got seven minutes to speak your piece about this bill." I can tell you, there are going to be scores of people who are going to be disenfranchised.

1600

I tell my friends opposite, that is what I'm upset about. That is truly unfair and it is unreasonable. It's going to create the very climate that you don't want and that none of us needs. If the policy is, as you submit, so evidently virtuous, constructive of the kind of partnerships that are going to drive this economy into a stratosphere of economic glory and activity, then what is so problematic with opening the doors to a more measured public consultation? What is there to be afraid of?

I can well understand because I have been in government and I know how people who have a very real interest in these kinds of things want the matter wrapped up as quickly as possible. I suspect, though I don't know, that there are people within the order that is the new democracy in Ontario who are saying privately within the councils of the NDP, "Get this bill done and get it done quickly." I can understand that some of that pressure might exist. But I say again, look at the timetable that you are asking not the Legislature but the people of Ontario to abide by here.

Who among us would not think it is absolutely preposterous on a bill of this magnitude to say, "You're going to get five weeks, and 80% of that time is going to fall within the month of August"? That's an insult to the intelligence and to the participatory instinct of most Ontarians. Why do we want to do that? And what are you going to do when on that day in early September you have scores of people—and they will be there—who are not going to have any opportunity to speak either for or against the bill? Are you going to then say, "I'm sorry, it's over"?

The reality is that it will be well into August before a lot of people even understand that the bill is before the Legislature. To have hearings in August means the public advertisements will have to go into the papers in late July and early August. Every one of us knows that the last week of July and the first week of August are the absolute peak of the vacation season. This schedule is not an accident. The part that is even more enraging and infuriating is that it has been a very carefully calculated strategy and it is one that is so transparent that I—

Mr Norm Jamison (Norfolk): Like calling an election.

Mr Conway: My friend from Norfolk says it's called an election. Maybe he wasn't here when I said it earlier. I have no problem with your desire to enact this kind of legislation. I do not support it; I will take an opportunity later to say why I don't support it. You won the election. That's not the issue. What is an issue, quite frankly, is a sense I get from a number of people over there that having won the election, they have an unfettered right to do whatever they want. None of us has that right, though we might imagine sometimes we should have it.

Premier Rae has said, I think to his credit, that he wants to run an open and fairminded government. My friend from Haldimand-Norfolk, such as I know him, seems to be not an unreasonable person. How can he defend—he won't even want to defend it because he knows you can't. It's so transparent an effort to ram this bill through and to get it done before the public awakens to what's in it. It's going to be found out. You're not going to get away with it.

I mentioned the advocacy business only because after an extended set of consultations, the government was back in the committee, I say to my friend Mrs Sullivan, with 199 government amendments. I've heard from some of my friends in the labour community. I know I don't have as many there as some of my friends opposite, but they've told me they've seen a few things in here that they think represent mistakes or oversights. I can't believe that when we get into the clause-by-clause or into the public consultation there's not going to be a lot of discussion around what some the language intends or doesn't intend.

Five weeks of public hearings: That is my complaint. It is a premeditated attack on the public's right to have a say on this bill. It is transparent. It is offensive. It is almost certainly going to raise even more resistance, even more reaction than might be justified. It raises very real questions about your real motives and your real intentions. When I see a railroad schedule as tight as this, even I begin to wonder what kind of game you're playing.

I say finally that if, on a bill of this importance and this sensitivity, the New Democratic Party of Ontario wants the Legislature to establish this kind of precedent, then it is setting the ground for a time in the perhaps not distant future when it will unfortunately and very painfully reap what it has sown. I don't think that is very healthy and I don't think it is very desirable.

I say again, I don't have a problem with a lot of the rule changes that people want to make. This isn't about rule changes, this isn't about fairness, this isn't about participatory democracy; this is about a government that is determined to make peace with one of its most powerful, one of its most influential, one of its most funding of friends. This is about a government that is so determined to accommodate its labour constituency that it is prepared, in a way that this Legislature has never seen before, to introduce a bill on June 4 and cause its completion a mere three and a half or four months later, including five weeks of public hearings, the overwhelming majority of which

will be offered to the public while the public is on vacation or otherwise distracted by summer activities.

I would ask the House to think about that, because it brings no credit to the government, it brings no credit to the assembly. If there is not a change in this, when the public discovers, whether in Goderich or in the Beach or in Niagara-on-the-Lake or in Renfrew county, three or four or five weeks from now that this timetable is so restrictive, they are going to be, and rightly, mad as hell, because Bob Rae will have transparently betrayed the trust that was invested in him particularly on account of his commitment to openness, fairness and accountability. That's the case I want to put not just to the assembly but to the public out there, which in fact may have more opportunity today to watch this debate than it will have in the month of August.

The Acting Speaker: Further debate?

Mr Ernie L. Eves (Parry Sound): I would like to put a few remarks on the record this afternoon with respect to what I consider to be a very unfortunate time allocation motion indeed. I'm reluctant to talk about what goes on in House leaders' meetings from time to time because I believe you need that element of sincerity and frankness and trust among all three House leaders or this place just doesn't operate. I don't care what the rules are. In the 12 years, almost, that I've been in this assembly, all three parties have been in power and all three parties have had various House leaders. If that spirit and that element of trust is not there, I don't think it matters what the rules are, quite frankly; this place is not going to operate.

I'm disappointed, I guess, first of all that the government House leader has found it necessary to proceed with the time allocation motion on this particular piece of legislation, because all through the House leaders' discussions with respect to the rule changes we were told time and time again that the government had no intention whatsoever of using the new rules with respect to the debate and the process surrounding Bill 40. Bill 40 was to be exempt from that; it was to be proceeded with by agreement of the three House leaders. Obviously that is not being done today.

1610

We had discussed various time lines for various stages of the bill at House leaders' meetings when we talked about the rule changes at the same time that we talked about Bill 40. Quite frankly, the opposition parties wanted anywhere from unlimited time to eight weeks of public hearings and the government started its negotiating position at about two weeks of public hearings on Bill 40, which is obviously somewhat ludicrous in itself on this significant piece of legislation.

We talked about two weeks of clause-by-clause in committee while the House was adjourned. That, for the public out there who aren't as familiar with these matters as perhaps some of us are, is approximately six hours a day, four days a week, which is 24 hours a week, which is 48 hours or almost 50 hours of clause-by-clause discussion.

In this motion we find eight sessional days when the House is sitting, which would mean a maximum of perhaps two and a half hours a day, four days a week, which is about 20 hours, not even 50% of what we had talked

about during House leaders' meetings. I also see that there are two days of committee of the whole debate and two days of third reading debate, which I think is probably unfortunate and unnecessary on a significant piece of legislation such as this.

Having said all that, I do believe there is some element of justification although I will not be supporting this time allocation motion because, as I said, I thought it was understood at the outset that Bill 40 would not be proceeded with in this fashion no matter what. It is being proceeded with in this fashion and I feel obligated to vote against this time allocation motion.

Having said that, though, I think I have to be fair to the government House leader with respect to some of the discussions that surrounded Bill 40 in the first place. During House leaders' meetings and during negotiation with respect to the rules—I heard the member for Northumberland earlier and I've heard the member for St Catharines, who's now walking back into the chamber, and others talk about the fact that the Conservative Party voted for these rule changes.

Yes, we did vote for these rule changes. We don't like them. They're not ideally what we would like, but the fact of the matter is that all three parties participated in the debate and the negotiation with respect to the rule changes and all three House leaders agreed to the rule changes. I don't know how you can go to a meeting, agree to something and then come back into the Legislature and vote against something that you've agreed to. If you didn't want to take part in the rule debate, I say to the Liberal members, you shouldn't have participated. Having participated and having agreed to the rules, I don't see how you have any option but to vote for them.

Having listened to the member for Renfrew North, I certainly do share his concerns with respect to Bill 40; and I certainly share his concerns with respect to the fact of how rapidly the government wants to proceed with Bill 40, how late—accidentally on purpose in his opinion and mine as well—it introduced Bill 40 and how quickly it wants to dispose of Bill 40 with a minimal amount of public debate.

I share all those concerns, and my colleagues—especially the member for Waterloo North, who sits behind me and is our Labour critic and a very good one at that—have certainly been travelling across the province and listening to many people including the working public of Ontario, and they have very sincere and genuine concerns about Bill 40, as do we all.

But having said that, I think the member for Renfrew North's party maybe has unwillingly assisted the government in short-circuiting the process and limiting the amount of time because—

Mr Bradley: Better check the rules on that one.

Mr Eves: The member for St Catharines says maybe I should check the rules. I know he doesn't like the rules. I know he despises the new rules. However, the reality is that they are in existence and the reality is that we have to operate within that framework, as much as we don't like it. That is the reality and I'd like to deal in reality a little bit here.

The problem is that now instead of debating Bill 40 today until 10 pm this evening or 12 pm this evening, as was offered by the government House leader in good faith, we are instead debating a time allocation motion, and tomorrow we will be debating, for the last time on second reading, Bill 40. Our party will be lucky if it gets on one to two more speakers at the most tomorrow afternoon, and so will the Liberal Party be lucky if it gets on more than two.

But I say to my colleagues in the Liberal Party that they have in fact precipitated this event on themselves, because the government House leader, quite frankly, offered an additional 13 to 15 hours of debate on second reading of this bill, which would have virtually allowed every single Liberal member of the 15 they had on their list and virtually every single member of the 14 we had on our list to get his or her comments on the record under the new rules, which I don't like but I have to operate within. They could have exercised their democratic right. Instead the Liberal Party, for whatever reason—it has its own reasons and I have to respect that—chose in its caucus meeting today to only have two more speakers instead of 15.

I just want the public to understand that the Liberal Party has of its own free will and volition chosen to have two speakers on Bill 40 instead of 15, because that is what they have done. What annoys me is, if they want to do that to themselves, that's fine, but they have stopped 13 of my colleagues from getting their comments on the record. I suspect they have found themselves in a political box, and the only way to get out of that box was to grandstand, be theatrical and force the government House leader into reintroducing his time allocation motion.

That was their way to escape so they can go out to the unknowledgeable public out there about how this place really operates and say: "Sorry. We would've liked to have got more time to debate Bill 40 on second reading, but that mean Mr Cooke, the government House leader, cut us off and introduced a time allocation motion so we were cut off at 6 pm tomorrow afternoon."

That is in fact what is happening here. I'm not happy about it. I don't think anybody should be happy about it. I guess I could make a lot of comments about what I think the Liberal Party is doing, but that would be unfair because I don't know what its rationale is. I don't get to attend their caucus meetings. I don't know what problems they have.

I do feel for the House leader of the Liberal Party, because I realize that from time to time during this debate and the rules debate he has been put in a very difficult position. He has been put in a position where he has several independent members of his caucus, as indeed we all do in all our caucuses, who feel extremely strongly about the rule changes, who feel very strongly about how we should be proceeding.

But the reality is that we do have new rules, whether we like them or not. They are better rules than we would have had if we had forced the government or had the government proceed unilaterally with its own proposed rule changes. They were agreed upon. They were voted against by the members of the Liberal Party, and that is their choice. I don't see how you can negotiate something in

good faith and then turn around and vote against it; however, maybe somebody can explain that to me some time.

I don't see why approximately 29 members of this Legislature should be precluded from getting their comments on the record with respect to probably the most significant piece of legislation that this government will introduce during its mandate, why we should be precluded from doing that because some people want a political escape from a political hole that they've dug for themselves. That in effect is what is happening here, whether the Liberal members like it or not.

I share Mr Conway's concerns. I share the member for Renfrew North's concerns about this legislation. I really do. I share his concern. I do not think this bill should be proceeding as rapidly as it is, but the reality is that it is going to be dealt with. The reality is that it is going to pass, if anybody can count, because the last time I was in school—the numbers over there exceed the numbers over here, and it is going to happen.

Having said that, the whole process is about having the public have its say, coming to committee for as long a period as possible—that's always negotiated—and hopefully the government of the day, with the persuasion of the public and the opposition members of the Legislature, will be able to persuade the government of the day to make some significant improvements to the piece of legislation.

That is the way this place is supposed to work in theory. Having been in a majority government, having watched now two other majority governments and two other parties in operation, that isn't always the way it happens. I don't believe in Tinkerbelle. I can remember Bill Davis's government ramming through legislation without amendment, I can remember David Peterson's government ramming through legislation without amendment and now I have lived through Bob Rae's government ramming through legislation without amendment. That is the way the place operates.

1620

I think we have to operate within that realm of reality. I personally think that Bill 40 will be the undoing of the New Democratic government in Ontario. Perhaps if we here on the opposition side were smart and only thought of our political interests, we'd just let them do whatever they want to do. They would embarrass themselves at the polls in 1994 or 1995. I really think that's what's going to happen. I think it is the hallmark of this government and I think it will also be the downfall of this government. I think that is what Bill 40, at the end of the day, is going to be all about.

But with respect to the time allocation motion itself, I find it very disappointing that the government House leader has felt obligated or has found it necessary to proceed in this way, because he indicated to us that he would not, that Bill 40 would be outside of the new rules and that he would not use the new rules with respect to Bill 40.

I am also disappointed that my colleagues in the Liberal Party of Ontario have precluded 12 or 13 of the members of my caucus from getting their comments on the record. That, in effect, by their actions to get themselves out of the political hole they've dug for themselves, is

what they've done. They've not only done it to my colleagues, they've done it to their own colleagues. I know they don't want to hear that, but that is the reality. That is the way this unfolded.

Mr Bradley: The reality is that your leader wants out desperately, Ernie. You're the guy who has to carry it.

Mr Eves: The member for St Catharines said the reality is that some of our members want out desperately. I can tell you I don't even know where your leader is, quite frankly. Maybe that's part of your problem. It seems to me you had about eight leaders at last count. We have the member for St Catharines, who's ticked off that he isn't the leader; we have the member for Bruce, who's ticked off that he isn't the leader, and we have the member for St George-St David, who's ticked off that he isn't the leader. He wants to go and practise law. The member for Renfrew North wants to run federally. The member for York Centre—I don't know what he wants to do. In fact, most days I don't think he knows either.

If you want to get snippy about it, I say to the honourable member for St Catharines, I can get as snippy as anybody here. But I'm telling you this is the way it is. I know you don't like the new rules. We got the point, Jim: You don't like the new rules. But the reality is that they are the new rules and the reality is that you have to live in the real world. You can't go around with a crank on for the rest of your life because you don't like the new rules.

Mr Ian G. Scott (St George-St David): We heard you were getting snippy.

Mr Eves: Speaking of snippy, a very good Mr Snippy has just appeared, the honourable member for St George-St David.

Mr Scott: Don't take my name in vain when I'm out of the Legislature.

The Acting Speaker: Order. I'd like to just remind the members in the House—and to the honourable member for St George-St David, it's good to have you back, but if we could just restrain ourselves for a moment. To the member for Parry Sound, there's been a lot of discussion between various people, various members of the House. I believe that at times that happens but it's not easy for the House and the business of the House to be conducted on that basis. I'd ask the honourable member to please speak through the Chair.

Mr Eves: I thank you for that advice. I think I've said everything I want to say with respect to the time allocation motion. I will be voting against the time allocation motion because I don't believe it's appropriate or proper for this particular piece of legislation. I don't believe in the piece of legislation. I'll be voting against that as well, as is my democratic responsibility.

However, having said that, I do feel somewhat annoyed that a lot of my colleagues, and some in the Liberal Party as well, have been precluded really from getting their comments and those of their constituents on the record on this very significant piece of legislation.

The Acting Speaker: Further debate?

Ms Sharon Murdock (Sudbury): I actually in many ways agree with the member for Parry Sound on some of the comments he has made, but I'm going to take a different line on this, I guess, in terms of being a new member in the House and to the Legislature. The process in this place and what is involved in passing a bill has been a true learning experience for me. I didn't realize so much was involved, nor how long it took to get something through.

As a former teacher and a student in both business and law, I have found over the years that I loathe the misuse of my time. It seems reasonable to state that all of us feel that we don't want to have our time wasted; we feel that it is valuable.

Then we come and we get elected and we think we're going to do great and wonderful things. We're dewy-eyed, idealistic, and we believe that none of us is going to waste any of our time and that all of us will speak to the issue succinctly and eloquently and that we will do the best job we could possibly do.

It was not very long before those of us new on the scene discovered that this is definitely not the case. In committee, where the partisanship is less tangible or at least less obvious, and people tend to talk to one another as human beings, I've stated my disbelief over the wide-ranging discussions when you're supposed to be talking about a particular bill and you end up talking about everything else and past history for the last 50 years, and I've been told in no uncertain terms that we New Democrats were the teachers in how to tie in diverse topics and how to tie up or delay the House.

I have no doubt that is very true, just based on what I used to watch on TV myself. The member for Welland-Thorold, who spoke for 17 hours against the then auto insurance bill, certainly is constantly thrown up to us as the example of what we used to do, and the opposition tells us that now no longer will we be able to do this, that it will no longer be allowed. While it's true that the likelihood of getting unanimous consent to allow someone to speak, such as the member for Welland-Thorold did, for an extended period of time is slim, the possibility nevertheless is still there.

With regard to the new rules, I must admit that, as a new member in this House, I am very anxious to see that they are truly implemented. Surely all of us want to see orderly movement of legislation through the House. When orderliness is not the order of the day, then time allocation can and I think should be used, and I'm hoping that should the day ever come that I'm in opposition, I will feel the same way.

I don't believe there is a single person out there watching on television who watches this House on a regular basis—and we do have a regular following of people who do follow this House who believe that we as politicians working in this House are anything but what would even closely be considered productive. I do not believe they see us as a productive body of hardworking people who deserve their respect and also deserve being listened to. I think it is a real shame that I'm spending my time and have to fight that kind of concept all the time.

My constituents don't generally understand about the rule changes. When people have stopped me on the streets in my riding, they don't seem to understand what the rule changes mean. But time and again they have told me to try to stop what they perceive as us wasting our time. "What are you doing down there?" they ask. "Why is it worse than a school classroom?" Good question, as far as I am concerned. I can't believe the activities in this House.

1630

Time allocation gives everyone the opportunity to succinctly state the reasons for or against a particular bill. The first speaker of each party gets 90 minutes to say his piece. Each speaker after that, in rotation, states his position in 30-minute segments. Surely we should be able to make our point in that amount of time. All of us, from all parties, when time was unlimited—and I can say certainly in the last 20 months this has been my experience—have found the comments to be extremely repetitive. I'm not saying this is the fault of one party or another. All of us are at fault for this. With rare exception, all of us from all sides used and abused the process. With 90 minutes and then 30-minute segments, we're going to have to hone our speaking skills to say what we have to say in a prescribed amount of time.

The main argument I've been hearing from the opposition members is about not having enough time to say what they have to say. Again today, just moments ago, we heard the argument about this being introduced on June 4 and four months is a very short period of time. I should point out, being the parliamentary assistant to the Minister of Labour and having been involved with this from the beginning on Bill 40, that we have been at this now since January 1991, when it was put to the original committee.

The committee reports came out in April 1991 and then we had numerous submissions made to my ministry—letters, telephone calls, meetings with different groups, meetings with business communities—plus the January and February hearings and the consultations that both the minister and I did. All of that led up to finally being able to sit down and draft some legislation. This has not been a short-term, brief, momentary fling that this government has thrown out. In fact it has spent an awful lot of time in the process.

Now, since the time allocation provision is first being applied to Bill 40, the amendments to the Labour Relations Act, we have to look at how much time the allocation is actually going to allow, remembering also the time we've already allocated to debate on the OLRA. So far we've had three sessional days of debate, and that was last week. Due to a fire alarm and a constitutional report from the Premier, the debate last week lasted approximately six hours. Yesterday we began debate at 5 pm and we lasted until 10 pm, and thus far, therefore, we've had 11 hours of debate.

Most of the comments, in truth, have been made by the members opposite because the government members made a very conscious decision, at the request of our House leader, that we would speak not for the half-hour allocated but for lesser amounts of time, that we would only respond in the rebuttals and that our list of speakers would be reduced to allow the opposition members ample opportunity to speak so they would get at least one if not two extra

rotations. I don't think that is being obstructive and unproductive. By giving up voluntarily of our speaking time—and many, in fact all of my members would dearly like to speak to this—this allows more opposition members to speak and increases the amount of time for us to hear the views expressed.

The time allocation allows for five weeks of hearings. I've heard that's not enough. In actual fact, in and of itself this is a significant amount of time for public presentations and for questions to be asked. Part of the allocations are night sittings. We've agreed to four days a week and three nights. For those members who are going to be sitting on the committee, it is going to be an onerous task indeed to have to sit through that.

The other thing is that when you consider the night sittings, that will add a day, possibly a day and a half, to each week we will be sitting. When the public hearings are completed, the standing committee on resources development will sit every day for the first two weeks of the fall session for clause-by-clause. Again, today I heard that isn't enough time, but in truth there are 32 amendments. It's not like some of the other bills where there are over 100 amendments. There are 32 amendments to the existing bill, and from those, I imagine we're going to hear a number from the opposition.

In terms of having enough time to speak and say your piece and tell us what's wrong with the bill or what amendments you would like to see, the allocation doesn't end there. In committee of the whole House there are another two days to bring forth the amendments proposed from the opposition. It still doesn't end there. Third reading results in another two days. So in my view, it has more than enough time.

In calculating just the time allocation portions for debate, one of my colleagues figured it out to be approximately 160 hours total. If you take that in terms of 24-hour days, that's almost seven days of debate, not counting the four sessional days we've already had. It is frankly inconceivable to me why this time is not enough to discuss one bill. Everything that could be said in favour of or against labour reform should be able to be said in that amount of time.

It's not just my own constituents who want to turn on their TVs and see us performing productively. I think that's the very least that should be expected from us. Frankly, I would like to feel at the end of this term, whenever that may be, that I have performed productively and that my constituents see me as such. This time allocation bill is needed.

The Acting Speaker: Further debate?

Mr Remo Mancini (Essex South): I'd like to use a few minutes of the time allocated to the official opposition to state some of my views on government motion 12, which basically sets out the time available for this Legislative Assembly to deal with Bill 40, the act to amend the Labour Relations Act, some 32 substantial amendments, and what the government's motion means to this assembly and to every member of the assembly, what it means to the general public and possibly what it means to the future operation of this assembly.

Before I do that, I'd like to take a moment or two to congratulate the Progressive Conservative House leader, who did the best job of any member I've ever seen in this House of defending the New Democratic Party, bar none. I believe the House leader for the Progressive Conservative Party did a far better job of defending the socialist government of Ontario than the government House leader has done, than any of the cabinet ministers have done and certainly better than any of the backbenchers have done.

It has been apparent that the Progressive Conservative Party in this Legislature has wanted to fold up its tent and go home since the last week of June.

Mr Bradley: Not all of them.

Mr Mancini: I'd say the vast majority of them. It certainly has been the position they tried to put forward at more than one House leaders' meeting.

I want to say to you, Mr Speaker, that the reason we're sitting here in the Legislative Assembly, here in the second week of July, discussing any number of things, is because the government has been incapable of running its own agenda. We know, and we have pointed out to you and to the general public watching, they called this Legislature back four weeks later than the official calendar had suggested.

I recall attending a House leaders' meeting as the House leader for the official opposition in December. I recall stipulating at one of those meetings that I wanted it noted in the official minutes of the meeting that I and the Liberal Party objected to the delay in the recall of the Legislature. We came back four weeks late because they were so tired from the last session. They were already packing their bags the first week of December to go south to rest up from the six weeks at work that they had to undertake.

They called us back four weeks late. They waited until May 26 to introduce 75% of their legislation. These are facts. They're not opinions. They waited until June 4, I believe, to introduce this piece of labour legislation, something that's so important it has to be passed yesterday. It was introduced on June 4 because they are incapable of preparing and carrying out their agenda items. They introduce legislation. Several weeks later we find out that there are any number of amendments.

1640

The record is clear: The government cannot manage the affairs of the assembly because they are in a constant state of disarray. Why? We can speculate on why, but that's not the issue today. The issue today is that the government of the day—

Interjection.

Mr Mancini: To the Minister of Transportation, who has been heckling constantly and not from his own seat, I say to him and to the rest of the government members that it's abundantly clear why you introduced the rule changes some two or three weeks ago. You introduced the rule changes to prevent legitimate debate in the assembly. You introduced the rule changes to prevent organized and legitimate groups in the general public from having the opportunity to state views which are different from the views of the government, contrary to every democratic principle

that we know and have embraced in this political jurisdiction of Ontario.

There is nothing democratic about the New Democratic Party. Nothing at all. They prepare speeches for their members, who try to explain why 30 minutes of speaking time is sufficient. Mr Speaker, in regard to the amendments to the Labour Relations Act, it would take 30 minutes to read the 32 amendments. How can one possibly have a thoughtful debate on 32 amendments when you're allowed 30 minutes? It would take longer than that to read them into the Legislative chamber record.

We hear some of the backbenchers cackling. Why? They came into this chamber with the attitude that they had never been wrong, that they could never do wrong and that because they were New Democrats everything they did was obviously correct and should be accepted by everyone. That's why they're so paranoid. That's why they cannot understand why organized and legitimate groups, large or small, have the temerity, in their view, to object to some of their platform, especially when the things they want to do were never in their platform to begin with.

The famous Agenda for People—which we describe now as the agenda for power and which can be found in the fiction section of the library—is a document they used to get elected. In that document, they didn't talk about the Labour Relations Amendment Act. They talked about taking over the insurance industry—that's what helped them get elected—and what did they do? They backed away from that. They talked about being opposed to Sunday shopping—that helped them get elected—and what did they do? They reversed themselves on that.

On the things they talked about to get themselves elected, they say: "No, we changed our minds, we don't want to do this any more. Thank you for your votes. We're sorry we told you we were going to do these things for you, we're sorry we took your votes. However, the things"—

Hon Mr Pouliot: You're such a cynic.

Mr Mancini: Mr Speaker, if the honourable Minister of Transportation is going to interject, have him sit in his own seat.

Not only have they now reversed themselves on everything that allowed them to get elected, they are now undertaking certain serious activity which they did not promise. They did not say on any one occasion, not a single one, that when they assumed majority responsibility in this Legislature they would unilaterally change the rules, take away the opportunities of the opposition to speak for the 900,000-plus people who voted for the Liberal Party. That's what I want to say to the government members. We received more than 900,000 votes and those people have a right to be heard. When you take away our voice, you take away their voice.

These people across the floor have no appreciation for Parliament. They have no appreciation for the history of Parliament. They have no appreciation, evidently, for any type of democratic debate. They want to have debate only on their terms. They want to have debate as long as it is not

too long, "Because we don't want to use up the valuable time of the House," as if we get paid by the hour.

"No, no, we don't want to use up the valuable time of the House. We can't have debate if it allows members of the opposition and special interest groups to point out some flaws in the government policy. No, no, we can't debate about that. We can't have debate, my goodness, if it's going to take a month or two longer. We can't have debate if the minister can't have his way all the time. We can't have debates under any of those circumstances.

"We can only have debate when we introduce a bill. We tell the opposition members, 'This is how long you can speak.' We tell the general public, 'This is how long a period of time you have to come before us,' and then it's game over. We pass the laws, we do as we please and it's on to the next socialist platform that we didn't happen to promise."

Hon Mr Pouliot: You're exaggerating.

Mr Mancini: We are not exaggerating. I will say to the Minister of Transportation, who keeps interjecting and is not in his seat, I remember Bill 162, a very important piece of legislation, important for the government, important for the opposition. How did that important piece of legislation go through the chamber? What was the process? What did the opposition rightfully demand? What did the government rightfully give up?

It's been common practice for any major piece of legislation, from its date of introduction into the chamber until the Lieutenant Governor gives royal assent, to take up to one year. Why has that been common practice? Why does democracy have to operate in a thoughtful way? Why must members of the opposition, and backbenchers who have the courage, have the opportunity to speak and put their points forward? Why must members of the general public who wish to come forward have the opportunity to speak? Why? Because we are passing laws which impose regulation and responsibility on our citizens, and when you impose regulations and responsibility, you have to absolutely ensure that you're satisfied you're doing the right thing. You don't have to be sure you're satisfying a special group that helped you get elected—not at all. You have to make sure that the 10 million people who live in Ontario are satisfied.

Bill 162, which was introduced on June 12, 1988, passed 13 months later, on July 27, 1989—a full 13 months. I cannot recall on any single occasion any member of the Legislature from the opposition parties rising in his or her place or any member from the general public speaking in any committee forum saying that we should have shortened the process, that we should have eliminated the opposition parties from having the opportunity to speak, that we should have limited all the public statements made to the committees to five or six minutes. I cannot recall that on any single occasion.

We have been unhappy in this chamber for a significant period of time. We have been unhappy because the government has been arrogant in the extreme. We've been unhappy because it, on any number of occasions, has wanted to ram things through the Legislature without proper debate. I can tell you, when I served as Chairman of the general government committee we were forced, be-

cause of the government's timetable, to allocate to certain individuals 15 minutes of time to speak, seven minutes of which to make a presentation and seven minutes to answer questions.

1650

Hon Mr Laughren: The poor Chairman.

Mr Mancini: My honourable friend the Treasurer, who is not in his own seat, is interjecting, saying, "The poor Chairman." I remember when he was Chairman of a committee. I remember his saying, "In this democratic House in this democratic procedure that we're following, anyone who wants to speak before the committee of which I am Chairman shall have the opportunity to speak." That was his position then. Now he's forgotten his high democratic principles. He's been corrupted by government, along with his cabinet colleagues and his backbenchers.

Do you know what is really irksome, Mr Speaker? It is the opposition backbenchers who've been corrupted in this process to accept rule changes which in fact take away the voice of the people who voted against the government. What is really irksome in this whole process is that none of them, from what I can see, has ever taken the time to study any of the parliamentary procedures and principles that we have used over the long number of years that this Legislature has been in operation.

None of you has taken the time to read old speeches that we can find in Hansard. None of you has taken the time to really come to grips with why opposition members and organized and interested groups should have the right to speak at length in government committees when important pieces of legislation come forward. None of them really has taken the time, which basically tells me they're only interested in one thing. They're not interested in the democratic procedures that have become part of our history and culture in this chamber. They're not interested in advancing those democratic and parliamentary procedures and principles. They're only interested in one thing: advancing the socialist ideas of the New Democratic Party government, whether or not those socialist ideas were promised during the election campaign.

The day will come—and maybe the Treasurer will be here and he will rue the day, I'm sure. Maybe not. Maybe he'll go down like the rest of them will. But the day will come when they will sit back and say, "You know, we had a better chance for debate under William Davis; we had a better chance for debate under David Peterson." I wonder why, when our rules have been satisfactory all these years, for two or three different sets of government, they're not satisfactory enough for the NDP socialist government of Ontario.

Mr W. Donald Cousens (Markham): Today will go down in the history of Queen's Park as one of the ugliest, meanest days we've ever had. The fact that this government is going to railroad this Legislature into having passed Bill 40 as labour legislation without a full and complete debate, having come along and changed the rules of the House arbitrarily without any respect for the rights of the opposition, is just further proof of this government's condescension on free speech and allowing people to have

the freedom to stand up and speak for what they believe. When they were in opposition, they couldn't keep still long enough to think of what they were saying. They won't give us a chance in opposition to represent the people we've been elected to serve.

Today is one of those days which will come back to haunt Bob Rae and his New Democrats as a day of sadness and a day in which Ontario took a large step backwards. Today we see them exercising the power they received on September 6, 1990, using their 74 people to block the opposition in order to push through legislation that will have long-term negative ramifications on the people of the province.

I don't think there's any doubt that the members of our caucus are offended in the extreme by the actions of Mr Rae and his House leader, Mr Cooke. What you're seeing done is the control of free speech. You're seeing the removal of democratic rights of legitimately elected opposition members, and in so doing, this government is—

Mr Norman W. Sterling (Carleton): A sad day.

Mr Cousens: It's one of the saddest days. I just see them in contempt of the parliamentary process. What can one do? In opposition our only tack is to speak up and speak our minds, speak loudly and clearly and represent the people we represent. Unfortunately the public at large has no understanding of the effect that Bill 40 will have on our society, on the workforce, on investment in our province.

If you think I'm angry, my whole system tells me everything is wrong, not only about the government but especially about Bill 40 and the process we're being forced into today. There is no chance of the freedom of speech that we want, that we cherish, where members can come forward, as you have in the past when you were in opposition, to articulate concerns about an issue loudly and clearly, succinctly, however you want to do it.

Now we will, as of tomorrow, be cut off from free speech in this Legislature. If anything is bad, it is that. Unfortunately there's nothing any of us can do in the time we have except make sure that the people of Ontario know that the New Democratic Party of Bob Rae is doing what it is. If there's anything we have to do, it is to survive till 1995, until such time as this government comes up for a review with the electorate.

Unfortunately there is nothing within our political system in Ontario where you can recall a government. There is no such thing as a Proposition 13, as there was in California. There's no such way in which we can, through petitions, have a Premier resign. Our political system does not allow the people of the province or the opposition to stop this tremendous steamroller that these 74 members of the New Democratic government have.

It is a tragedy in the extreme because the repair that will have to be done following the next election by whoever wins—I sincerely hope it is Mike Harris and the Ontario PC Party that become the choice of the people of Ontario. That is something within the realm of possibility, certainly when the people of Ontario realize what we stand for and how well we will work to maintain and keep the faith. One of the first things we will do is to repeal and

revoke Bill 40 and its effect on the province. I sincerely hope the people of Ontario understand how important that decision is.

Bill 40 has such a long-term impact on our economy, on future jobs, on investment. This government has even refused to have a study on the bill, though Ernst and Young, in its cursory review, indicates this bill could cost some 300,000 jobs in Ontario, could cost us a loss of investment of some \$8 billion. Why, then, will this government not have a full economic impact analysis of the effects of Bill 40? Why won't they?

What is Ontario's problem today that would require such a massive change to labour legislation? We have had fewer days lost to strikes in 1991 than for 16 years previously. In fact, in Ontario in 1991 there were only 153 work stoppages from lockouts and strikes versus 218 in 1990. We've seen a reduction of this and we've seen an improved labour climate. Yet the government says, "Let's hold up Quebec as an example."

In Quebec you have seen some one million days lost to strikes since 1978. You see a smaller workforce in Quebec. Yet here they are saying, "Let's bring into Ontario the very labour legislation that has caused Quebec to go backwards." They have 20% more strikes in Quebec than Ontario. The unemployment in Quebec, up until recently, has been 50% higher than in Ontario. Investment is down in Quebec. In 1991 Ontario received approximately 75% more investment dollars than Quebec. Yet Quebec is held up as the ideal.

I support our federation. I support our country. I do not support initiatives that are going to be brought into Ontario that will set the clock back for this province. What we have is a union push coming from a union labour leader who does not understand and appreciate the balance that's required in developing a law that is going to respect the needs of all employees and all people in Ontario.

What this Minister of Labour has done is establish an adversarial atmosphere by the way he's brought forward this bill, not only in this House but through the labour force and the people of Ontario.

In the last 18 months we have lost some 500,000 jobs due to the recession. How many more jobs will we lose and how quickly will they go because of the kind of bills before us?

1700

We want to entice investment into Canada, and instead of that we're seeing people remove their funds, remove their jobs, remove their work, go elsewhere. It is a sad day for Ontario. People are indeed asking for workplace changes, but they are not asking for the kind of reorganization that this legislation will bring into being. If only the Minister of Labour had done something like including business people in the process of developing Bill 40—but he wouldn't do it.

The Minister of the Environment, in developing the new environmental bill of rights, at least did involve not only environmentalists but also the business interests in trying to develop a bill. Mind you, the bill that she's come up with is hardly a bill of rights for the environment. It's far less than that. She's built up expectations that it's going to do something that it just isn't capable of doing. The

Minister of the Environment at least involved segments of society in the development of that bill so there was at least the inclusion of those points of view.

In this Bill 40, brought forward by the Minister of Labour, there has not been that opportunity for business people to participate and to have their views heard and understood and included in that bill. So the five weeks of public hearings that we're talking about are hardly worthwhile if in fact the government is going to be as closed-minded as it was with Bill 143. Bill 143 is the Waste Management Act for the greater Toronto area, a draconian bill also brought in with this socialist majority that is in fact riling the hearts and minds of people in York, Durham and Peel, another example where people are outraged because there is no way they can speak or be listened to.

You've got a minister who doesn't listen to them; you've got the Interim Waste Authority that's an arm's-length group and it's not doing anything to show the people out there that it really cares. As I went up to the Interim Waste Authority office last week, what did I see on the wall but a topographical map that is so far out of date that it has the M3 site in Markham and it shows the south of that site as if it's all green farm land. Instead, the truth of the matter is, that land has all been built up to Highway 16.

What did this government do? They built up expectations and then they crumbled them afterwards. They said to people, "Come and make your views known about the 57 sites in the greater Toronto area." They went up there last week and there weren't even enough forms for the people to fill out. The photocopier wasn't working and there weren't enough forms. So they say, "Participate, consult," and then when people come back to participate and consult there is no one there. The door's locked, the lights are out. The people of Ontario have been better served in the past by any government other than this government. This government is an atrocity to what democracy is all about. In bringing in this motion today to close off debate on Bill 40 they are destroying one of the fundamental rights that all of us were elected to serve, and that is the people of the province of Ontario. To take that right away from members of this House to speak on a bill, to participate in the debate, is indeed a deprivation of the rights and privileges of members.

As we go down the track the one thing that comes to my mind is that I wanted to speak on Bill 40. I wanted to be able to table some of the concerns of people from my riding. I've had over 500 letters within the last two months, and not one of those letters—that's not fair to say; I think a couple of the letters have been in favour of Bill 40, the labour legislation, but the vast majority have been opposed to the initiatives of the Minister of Labour, Bob Mackenzie. Yet how am I to share those and put them on the record and have them as part of Hansard? What this government has decided to do instead is cut off debate. In cutting off debate they have again cut the legs off democracy.

I know, as our House leader Mr Eves said in his remarks, that this one bill will come back to haunt Bob Rae and the New Democrats in the next election. This bill in itself is the single most significant bill that this government will have passed. Who knows what you're going to

do in the next two and a half years that you've got, but I can tell you that this bill is without a doubt even worse than any other piece of legislation you've brought in as to the net impact it's going to have on employment, on jobs, on investment and on the economic wellbeing of our province.

If only this government would find a way to listen and open up its mind and its heart and show a willingness to know there's a way of balancing off viewpoints. This government refuses to do that. This government feels that it has all the answers.

It is time for the people of Ontario to speak out. Unfortunately we are not going to be able to speak out in this Legislature as we would have wanted to, because our rights have been cut off; this government has removed that right from us. But may the people who are, through this channel, aware of what's going on in the Legislature write to their MPP and give support to ourselves in our battle against Bill 40, the labour legislation.

I can tell you that the efforts of Elizabeth Witmer, our member for Waterloo North and our Labour critic, have been phenomenal, and I strongly support the speech she gave in this Legislature last week. She has articulated the views clearly and in an intelligent way. I sincerely hope that people in Ontario will understand what it is we're trying to say.

Here is a government that doesn't listen. What can we do if we're not given the chance to speak? I see this as one of the foulest days and one of the saddest days in my 11 years here in the Ontario Legislature, when the rights of the minority have been removed by a majority that wasn't even elected by more than 37% of the population. It's a tragedy, and this tragedy is perpetrated on all the people of Ontario. Not just those who will want to become part of this new union legislation, this socialist atmosphere that's being created, but all people will suffer.

Indeed, there is still time for the New Democrats to change their minds. I hope they will.

Mr David Christopherson (Hamilton Centre): I am pleased to rise today and spend a few moments talking about the motion that's before us. Despite the bombastic blathering of the previous speaker and despite the apparent differences both opposition parties are having over how we got to this point, I think, perhaps unlike some members of this House, the opposition is doing what it was elected to do, and that is to democratically and with loyalty oppose the government of the day, particularly when there's a majority government, with the means that are available to them. I respect that. I think that for them to do otherwise would be an abdication of their responsibilities in this House, just like I believe it would be an abdication of our responsibilities were we not to do exactly what we're doing today.

We have seen members of the opposition use that right and that obligation in the past, to the point where they have deliberately tied up the business of this House at a cost exceeding \$250,000 a day, reading out bills that contain all the lakes and rivers their research department could put into them, with no other purpose than to take up and use up the valuable time of the House. Now again, I do not have a particular problem with them taking that action

other than the immediate debate we have at the time. I think it's a waste of taxpayers' money but I do not condemn them for that activity. I think that as a majority government we responded in the responsible way, and that was to say, "We're going to have to change some rules around here, folks, so that those types of extreme abuses of the rights of this House do not waste the time of the taxpayers and indeed waste the money of the taxpayers."

It's interesting; I can remember the early days when we were first elected and got into a couple of differences with the opposition, and quite frankly the whole business of the House went into the ditch. It wasn't too long, as we were new in government, feeling our way through and learning the levers of power, if you will—during this time the opposition was then decrying the fact that a majority government couldn't lead.

They said: "You're in the driver's seat. You have a majority government. You don't have the ability to lead the government, to take the business of the day, which is your right, and ensure that you can move on your agenda, which is your right." I remember sitting there and thinking: "They're absolutely right. We ought to be ensuring that we are using the rights that the people of Ontario gave us, and that means implementing our agenda and it means at the end of our term of office the people will pass judgement on how well we did that job." We're prepared to face that point with the public in 1994-95 when the election comes, as it should be.

1710

But it would be wrong for us as a government and the opposition would condemn us, and I think rightfully so, were we to allow this Parliament to continue to be in the ditch not doing the business of the people, wasting \$250,000 a day and not taking hold of the reins of government, as is not only our right but our democratic responsibility.

It's interesting of course to listen to some of the debate around the rules that are now in place. We've seen very clearly that the rule changes now in place that are now being used are not draconian. If one reflects on the columnists and the editorials and the political pundits who watch this place very clearly, there were very few of them who said, "There's a majority government with power that's run amok." That did not happen. In fact, after the speech by the member for Renfrew North, there was this dramatic change in the atmosphere and the environment out there, as most people looking on said, "If that's the kind of bitterness and acrimony that exists, then one can understand why this NDP government has taken the steps it has."

I would point out, Mr Speaker, that every one of the rules we have exists and is used in one of the parliaments of this nation, either at the provincial level or at the federal level. So the argument of draconian does not hold. What we did was act as a responsible government and take the reins of office and ensure that we could move on our political agenda, and at the appropriate time at the end of our term we'll go to the people and we'll show them what we've done and we'll say to them, "Now you pass your judgement."

Mr Speaker, before I take my seat, let's again underscore the amount of time that will be available for this

issue, because to listen to the opposition only, you'd think somebody was throwing a blanket over this place and that no one ever again could talk about the Ontario Labour Relations Act. Nothing could be further from the truth. What is still in front of us at this point, in addition to the time we've already had, which, by the way, if there weren't shenanigans going on we'd be debating right now? We have five weeks of public hearings where the public will be given the opportunity they deserve to comment on this legislation. It's important to note that three evenings in each week will also be dedicated to public meetings so that as many people as possible will have an opportunity to comment on this legislation.

Is that all, Mr Speaker, you might ask. No, it's not. In addition to the five weeks which contain the three evenings per week, we have eight more days of clause-by-clause. Is that the end, you might ask, Mr Speaker. No, it's not, I would respond. There are still two more left of committee of the whole house. In addition to the eight days, in addition to the five weeks on top of the three evening sessions, there will still be those two days. Is that the end of the discussion, Mr Speaker? No, there are still two more days on third reading.

I don't think any reasonable person in the province would believe an argument that said this government has shut out the ability of anyone to have input on this resolution, this bill, this law. Indeed, this government has taken the responsible course. We've ensured that the business of the House is being done, that the taxpayers' money in running this place is being put to good use, and we're giving people who need it a chance to comment. That's what a responsible majority government should do and that's what this NDP majority government is doing.

The Deputy Speaker (Mr Gilles E. Morin): Are there any other members who wish to participate in the debate?

Mr George Mammoliti (Yorkview): I haven't had a chance to write down any notes, but I'm going to do my best. I'm going to speak for only a few minutes, and I'm going to say only the things I know my constituents would want me to say in this particular case.

I want to talk a little bit about how long it takes to get a message across in this place. For a year and a half, I've pretty much sat back and I've looked upon this experience—I've compared it to going back to school—as a learning experience. I can tell you this, if somebody really wants to get a message across, no matter what that message is, it doesn't necessarily have to take an hour. It doesn't necessarily have to take an hour and a half. It doesn't necessarily have to take two hours or, in some cases, six or seven hours. I think a half-hour is a sufficient amount of time for somebody to get his message across, perhaps a message that his constituents would want him to say in this place.

I have learned to jot down notes. I have learned to talk about the pertinent things that pertain to my riding or perhaps the issues that are necessary to talk about in Ontario. I have learned not to repeat myself. I have learned that if you repeat yourself, you're defeating the purpose and all

you're doing is perhaps rattling cages and getting people's backs up against the wall.

We hear consistently from across the floor that they don't have enough time for this to happen. I could probably go back in Hansard and pull out enough evidence to prove my point here today, in terms of repeating themselves consistently. Frankly I can't see the logic in doing that.

The constituents who have put us in this place have made it very clear: "Do your business. Finish what you have to finish. Stop your fighting. Stop your bickering. Pass the laws, the legislation that is pertinent to Ontarians, that is necessary to make the lives of Ontarians a little more respectable, a little more comfortable. Stop your fighting and stop the waste of time."

That is certainly a message that is very loud and clear, in my particular riding anyway. I'm willing to bet that this message is certainly a message that was heard by every one of the members who had the opportunity to get voted in, in 1990 anyway. I know this was an issue at the door in 1990, because I personally had to talk about that, the system, the procedure—

Interjections.

Mr Mammoliti: The heckling is just a prime example of what frustrates people in this place. The member for Willowdale and the member for Etobicoke West continue to irritate me as I speak. I don't necessarily have to speak for them to irritate me. It could happen outside this place as well, as it has done in the past.

1720

I'll try to get back on topic in terms of consistency, in terms of keeping to your topic, speaking on the issues that pertain to your riding and doing it only once in a speech, not three times, not four times, not five times.

The people who sit across from us here have mastered something. They have mastered the insults. I don't know whether opposition in the past has insulted to the degree I have witnessed here in this Legislature. They have insulted the person, they have insulted the families, they have insulted the politicians, they have insulted governments. They have mastered the ultimate insults. Insulting somebody in this place is not productive and I frankly take offence at that. Criticism is healthy; insults aren't.

Interjection.

Mr Mammoliti: Stop repeating yourself, please.

That's the argument I wanted to make and I close with that. Thank you very much for the opportunity.

The Deputy Speaker: Are there any other members who wish to participate in this debate? The member for Niagara South.

Hon Shirley Coppen (Minister without Portfolio): I am happy to rise today to address the House on this very important issue which has generated a great deal of debate and, if I may say, a great deal of exaggeration and rhetoric.

Before I begin, I want to congratulate publicly both the Minister of Labour and his parliamentary assistant for introducing a piece of legislation that is long overdue in this province.

I also want to congratulate the government House leader for his patience in dealing with the opposition

House leaders. As chief government whip, I attend the House leaders' meetings and I have seen our House leader negotiate a deal with both opposition parties in the morning only to have the deal scrapped in the House in the afternoon. Why is it scrapped? Because the opposition House leader negotiates the deal but he must not have the support of his caucus. If he did, the deals would be kept and we would not be introducing time allocations at this time. We would be carrying through with one of the many deals negotiated by our government House leader.

We have heard that we are cutting off the debate, that we are not allowing the people to have their say on this important piece of legislation. Let's take a look at it for a moment. What has transpired here since talking of the labour reform act? In November 1991, the Minister of Labour introduced a discussion paper on the labour law amendments. What followed was a three-month, province-wide consultation process during which the minister met with over 200 business groups and umbrella organizations to discuss the proposals.

Interjections.

The Deputy Speaker: Order. The official opposition had its time. It's now the time of the government. The member for Niagara South.

Hon Mrs Coppen: Then, after all of these meetings, the minister, along with his parliamentary assistant, introduced Bill 40 over a month ago. We have had over three days of debate on second reading of this legislation. We offered more. We offered more time to the opposition, the ability to discuss this bill today. We offered to sit through the night whether it be 10 o'clock, 11 o'clock, whatever. We offered that to the opposition. So if the opposition wanted to get its points on record, we offered it the provision to stand its speakers so that they could be on the record.

As the whip, I know there are members who want to speak on issues and they don't get the chance because there is insufficient time. On this issue, that was not the case. We are accused of ramming this through, yet we—

Mrs Elinor Caplan (Oriole): That is not factual.

The Deputy Speaker: The member for Oriole; order, please.

Mrs Caplan: She's prevaricating.

The Deputy Speaker: Order, please. There are seven minutes left on your side.

Hon Mrs Coppen: Yet we offered the opposition the ability to get each and every speaker it wanted on the record. How can we be accused of ramming it through? The Liberals had the choice and they decided they did not want their members to stand and be put on the record. That was their decision, not ours.

Once this bill is passed, what will happen? The bill will go to a standing committee for five weeks; five weeks in which the committee will meet mornings, afternoons and evenings. Evening sittings mean that people who do not have the luxury of being able to be off their jobs during the day will now be able to make a presentation to a government committee. That does not happen often. Again, I am quite amazed that we can be accused of ramming through

legislation and not allowing members of the public to come before us.

The honourable member for Renfrew North talks about the issue going to public hearings in late July and August. He described it as prime holiday time and, according to the member, a time when the public does not pay attention to public issues. I think it is important to make a few points on that. First of all, not everyone in this province has a cottage to run to and not everyone has the extra money to go on vacation. Not everyone in this province—

Mr Scott: Bob Rae sure does. He has been at it most of the last month.

The Deputy Speaker: Order.

Mr Scott: He goes to a cottage in Florida and Muskoka. Don't give me this "Not everybody has a cottage" nonsense.

The Deputy Speaker: The member for St George-St David, please.

Mr Mancini: Not everybody has a cottage but Bob Rae has one and he uses government aircraft to get there.

Hon Mrs Coppen: Sir, you had your chance to debate; now it is mine.

The Deputy Speaker: Order, the member for Essex South.

Hon Mrs Coppen: Not everyone in this province has the luxury to be off for the month of August. Many people in this province will spend August as they spend every month: working. Working to make ends meet, working to keep their children housed and fed.

Second, we need only look at August 1990 to see that, unlike what the member for Renfrew North believes, the people of the province of Ontario do care what's going on in the month of August. The Liberal Party should remember the provincial election of 1990. People do care what's important in this province, what is happening during the summertime.

I want to see this bill proceed and I would like to read into the record a quote that I think summarizes what we're trying to accomplish. The quote begins with, "We in this party strongly support the free collective bargaining concept and do not want to see any further erosion of this concept."

Of course, I'm quoting a representative of the Liberal Party, a member who in fact represented the very riding I'm proud to represent today. The riding was then called Welland South and is now called Niagara South. Mr Ray Haggerty, whose quote I am happy to re-enter into the record, represented many of the same fine people living in communities like Port Colborne, Wainfleet and Stevensville. He also represented what used to be an honourable tradition in the Liberal Party, a tradition that, given the rhetoric coming from the official opposition today, is obviously long gone.

1730

A frequent charge made by the opposition on this and other legislation is that we have no right to introduce legislation because we never got 50% of the popular vote in the

last election. Let's take a look at the past election and the past winning percentages for the government party.

The Deputy Speaker: Order. Please take your seat.

Mrs Barbara Sullivan (Halton Centre): On a point of order, Mr Speaker: I wonder if the member for Niagara South would reconsider her remarks. She's imputing motives and attaching words to the opposition and to this party that in fact are not true. I am asking her to withdraw them.

The Deputy Speaker: That's not a point of order.

Mrs Sullivan: Yes, it is.

Mr Murray J. Elston (Bruce): It is against the standing orders.

Hon Mrs Coppen: As we all know, the Tory party was the governing party for 40 consecutive years—

The Deputy Speaker: Order. She didn't attack any person individually.

Hon Mrs Coppen: —getting elected in 1943 and holding power through 1985. But they never once received 50% of the vote at that time, and not a single time. The Liberals too have made reference to the level of popular support we received in the 1990 election. When the Liberals won their first majority government in over four decades, surely their support must have been over 50%. No, the one election in which David Peterson managed to win a majority saw his Liberal Party receive less than half the popular vote.

In 1937 the Liberals managed to win the support of half the population, but never in an election since that point has any party won over 50% of the vote. Does this mean that no party has had the right to govern since 1937? Of course not. That is ridiculous, considering that we have two to three parties in this province. Rare is it that any government in any jurisdiction in this country receives more than half the vote.

Mr Speaker, as you can see, this is a small point and one which the opposition continues to use in its attempt to stop the will of the people of Ontario. The people spoke on September 6, 1990. They spoke loud and clear and they sent a majority New Democratic government to Toronto to govern the people in this province for five years. They sent us with the expectation that we would govern. It's time to get on with governing and it's time to get on with this bill that the people of Ontario want and need.

Mr Chris Stockwell (Etobicoke West): Just quickly off the top, no one suggested to the whip of the government that you don't have the right to introduce legislation and that you don't have the right to carry it through this House. I think what you confuse is what I don't think you have the right to do and what the public doesn't think you have the right to do: You do not have the right to muzzle opposition. That is a very clear and distinct difference.

Don't tell me this closure motion is not cutting off proper debate. I have been reduced to less than 14 minutes of debate on the entire labour legislation, 14 minutes on maybe the most important legislation we will deal with in this Legislature.

Mr Randy R. Hope (Chatham-Kent): That's enough time.

Mr Stockwell: I hear the member for Chatham-Kent across the floor saying that's enough time. Quite frankly, that's not enough time. That's not how democracy works. You're supposed to listen to the opposition. The point of this is that when in opposition, this government—

Interjection.

The Deputy Speaker: Order. The member for Yorkview, you made a remark not too long ago that you didn't care for hecklers. The member for Etobicoke West.

Mr Stockwell: This government has decided to move closure on this debate today for two simple reasons. They can't stand the heat and the heat is being turned up in the public today because there is opposition to this motion, this piece of—

Interjections.

Mr Stockwell: Mr Speaker, I'm only getting 14 minutes on this, 14 minutes to debate a very important piece of legislation. They want to go home, because they don't want to sit in this place. At least while you're here, have the decency to hear out some opposition.

The public doesn't accept this legislation; it's been proven in poll after poll. The indications from the consultants who have been doing work on this have been very clear. There are going to be major job losses. The government doesn't want to undertake consultants' reports because it will only prove the obvious, that this legislation is flawed and will cost them valuable support. This closure motion is from the party which had Mr Peter Kormos stand here for 17 hours and defend the rights of opposition. They stand here today and tell us that what we do is a waste of time, that what we do is a waste of taxpayers' money, that what we do is not acceptable to them. Tough. It's called democracy.

I'm frustrated and I'm angry. I'm angry that I'm given 14 minutes to debate this type of legislation. I'm angry because it's this government that is trying to shut up opposition and those who oppose. I'm angry because they're telling me I should be happy with the paltry amount of time opposition is given to debate this important legislation. I'm angry because they're going out to the public for five weeks in the middle of the summer, and I know full well what that means, as they know across the floor. In the summer people are not in their homes. They're on vacation and they can't get out to public hearings. If you ever spent time in municipal government, you didn't have public hearings in the summer unless the fix was in. The fix is in.

I hear noise about the fact that it costs money to run the Legislature when this bill is being debated. Yes, it costs money. They say \$250,000. I'm not sure about that. I always thought democracy didn't come cheap, but it was very precious. Clearly I have a difference of opinion from those across the room. I make no apologies for standing in this House and debating this. I make no apologies for opposing your legislation. I make no apologies for standing up and making this House sit longer. If you don't like it, go home. I'm staying. If you want to get to work, tighten up your helmets and pull your socks up and get busy. Democracy doesn't work quickly sometimes and this is one of the times.

Mr Jim Wiseman (Durham West): What do you know about democracy?

Mr Stockwell: The member across the floor asks what I know about democracy. What I know about democracy is that what you're ramming through today isn't a form of democracy I care to be associated with. If the members across the floor choose to think they're operating in a fair and democratic process by introducing closure on opposition members on this important piece of legislation, they're going to rue the day when they get back to opposition.

I'm most upset because I look across the floor and see the likes of Mackenzie and Laughren and Grier and Martel.

The Deputy Speaker: Please refer to the riding and not to the name.

Mr Stockwell: I see the likes of these members who felt that opposition played a very vital and important role in the legislative process. I remember seeing Mr Kormos from Welland in the newspapers, about the 17 hours of debate and how important and crucial it was for democracy and opposition.

What is becoming very plain and clear to me and to the members on this side of the House is that this party only believes in opposition when it is in opposition. They don't believe in opposition when they hold the levers of power. That makes me angry.

When I was going to debate this, I was going to explain to that side of the House that in most instances when it came to labour legislation, I agreed with them.

Mr Stephen Owens (Scarborough Centre): Oh, come on.

Mr Stockwell: Hear me out. I don't agree with legislating people back to work. I oppose it. I opposed it at Metro council on the Toronto Transit Commission; I opposed it on school teachers. I think if you're going to declare them an essential service, declare it before they go out; don't pull political stunts when they're on the picket line. I don't believe in it. I believe in collective agreements, I believe in negotiated settlements, I believe in job withdrawal and I believe in lockouts. I believe that is what it takes to reach consensus.

There are some parts of this bill I don't believe in, but what is becoming obvious to me is that this government cares not what I think, what my constituents think, what the business community thinks or what the constituents in the province think. You honestly believe you have a higher calling and know better than the people. No one knows better than the people. The people know what they want, and the people don't want this legislation. It's my job to bring that issue to this House, to explain and debate. If it means trying to slow down this process, so be it.

It's not your job to determine whether what I have to say is important or not; it's the job of my constituents. As you were elected, I was elected. You don't measure my contribution. You don't measure whether or not what I'm saying is important. You don't measure whether or not what the Liberals say is important. You must listen. It's called governing, and we're called opposition. You're not listening, and I'm mad and my constituents are mad. I'm

mad because you're closing on an important piece of legislation because you won't listen.

They're confusing governing with listening. I don't oppose governing; I don't oppose you passing legislation. I oppose you trying to shut up opposition. It's a big difference.

I am prepared to sit here till the year ends. I'm prepared to sit here till midnight. I'm prepared to sit here in August, September and October. I'm prepared to sit here as long as it takes so a full and comprehensive airing of this legislation can be had. If the government party wants to hear from everyone and cast aside the rule changes and do away with the half-hour and have a full-blown debate, I'll guarantee you there will be a quorum of this caucus here, and I will sit with them.

I know I've only got four minutes; four minutes left out of 14 to talk about labour legislation. This is it. I don't get to talk about labour legislation because you moved closure. I don't get to debate it. You moved it; take responsibility for your actions. I get to speak for 14 minutes on a piece of legislation that in my opinion will cost my constituents jobs.

I know you don't agree with me. I beg you to investigate. I plead with you to look at it. It will cost jobs. This isn't Sunday shopping, because when you flip-flopped on Sunday shopping, I agreed. This isn't government auto insurance, because I agreed with you. This isn't all the policies you flip-flopped on. This isn't Agenda for People. This isn't anything you spoke about in the election. This is going to cost jobs. It's going to cost potential jobs. It's going to cost people in this province their livelihood.

All I'm asking you is to give them, give me, give my constituents, an opportunity to explain why. Seven minutes on August 25 in some hotel at 95 degrees is not enough time. I need more. They need more. They need studies and we need help.

I look across there and I'm dumfounded that this government, the government of the people, they said, the government of opposition, the government of the small person, the government of the minority, the government of all of those, has chosen at this point to institute unfair, unilateral rule changes and ram them in on the very piece of legislation they shouldn't have.

In conclusion, I suppose it doesn't matter. I suppose it won't make a difference because we're going to go ahead with this closure motion and I suppose they nod in the background and you're wasting your time. But I want to

give one last attempt. I look across and ask you, if you truly meant what you said in opposition, if you truly meant what you said about opposition and if you truly meant what you said about the importance of opposition, you would withdraw this closure motion. You would open up debate and change the rules back.

I leave it on the record: I'll sit for as long as you like, I'll debate for as long as it takes, I'll stay here as long as you want, but just hear the people who don't agree with you. Allow my 14 members the opportunity to speak, to get on the record to represent their constituents, which is what the democratic process was supposed to be. Anything less and it proves beyond a shadow of a doubt that this government has fallen so far that it's barely recognizable.

1803

The House divided on Mr Cooke's motion, which was agreed to on the following vote:

Ayes—62

Akande, Allen, Bisson, Boyd, Buchanan, Charlton, Christopherson, Churley, Cooke, Cooper, Coppen, Drainville, Ferguson, Fletcher, Gigantes, Grier, Haeck, Hampton, Hansen, Harrington, Haslam, Hayes, Hope, Jamison, Johnson, Klopp, Kormos, Lankin, Laughren, Lessard, Mackenzie, Malkowski, Mammoliti, Marchese, Martel, Martin, Mathysen, Mills, Morrow, Murdock (Sudbury),

North, O'Connor, Owens, Perruzza, Philip (Etobicoke-Rexdale), Pilkey, Pouliot, Rae, Silipo, Sutherland, Swarbrick, Ward (Brantford), Wark-Martyn, Waters, Wessenger, White, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Winninger, Wiseman, Wood, Ziemba.

Nays—36

Arnott, Beer, Bradley, Brown, Callahan, Caplan, Cleary, Conway, Cordiano, Cousens, Cunningham, Curling, Eddy, Elston, Eves, Fawcett, Grandmaître, Harnick, Harris, Jackson, Jordan, Kwinter, Mancini, Marland, McClelland, McLean, O'Neil (Quinte), Phillips (Scarborough-Agincourt), Poirier, Poole, Ramsay, Ruprecht, Scott, Sorbara, Stockwell, Sullivan.

The Deputy Speaker: It being past 6 of the clock, this House stands adjourned until 1:30 of the clock tomorrow afternoon.

The House adjourned at 1808.

**LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor/Lieutenant-gouverneur: Lt Col The Hon/L'hon Henry N. R. Jackman CM, KStJ, BA, LLB, LLD

Speaker/Président: Hon/L'hon David Warner

Clerk/Greffier: Claude L. DesRosiers

Clerk Assistant and Clerk of Committees/Greffier adjoint et Greffier des comités: Smirle Forsyth

Clerk Assistant and Clerk of Journals/Greffier adjoint et Greffier des journaux: Alex D. McFedries

Sergeant at Arms/Sergent d'armes: Thomas Stelling

| Constituency | Name of member | Party | Other responsibilities |
|-----------------------|----------------------------------|-------|--|
| Algoma | Wildman, Hon/L'hon Bud | ND | Minister of Natural Resources, minister responsible for native affairs/ministre des Richesses naturelles, ministre délégué aux Affaires autochtones |
| Algoma-Manitoulin | Brown, Michael A. | L | Chair, standing committee on general government/ Président du Comité permanent des affaires gouvernementales |
| Beaches-Woodbine | Lankin, Hon/L'hon Frances | ND | Minister of Health, minister responsible for substance abuse strategy/ministre de la Santé, ministre déléguée à la Stratégie pour la prévention de la toxicomanie |
| Brampton North/-Nord | McClelland, Carman | L | Vice-Chair, standing committee on general government/ Vice-Président du Comité permanent des affaires gouvernementales |
| Brampton South/-Sud | Callahan, Robert V. | L | parliamentary assistant to Minister of Industry, Trade and Technology, responsible for trade and technology/ adjoint parlementaire du ministre de l'Industrie, du Commerce et de la Technologie et délégué au Commerce et à la Technologie |
| Brant-Haldimand | Eddy, Ron | L | |
| Brantford | Ward, Brad | ND | |
| Bruce | Elston, Murray J. | L | opposition House leader/ chef parlementaire de l'opposition |
| Burlington South/-Sud | Jackson, Cameron | PC | |
| Cambridge | Farnan, Mike | ND | Chair, standing committee on estimates/ Président du Comité permanent des budgets des dépenses |
| Carleton | Sterling, Norman W. | PC | Vice-Chair, standing committee on the Legislative Assembly/ Vice-Président du Comité permanent de l'Assemblée législative |
| Carleton East/-Est | Morin, Gilles E. | L | |
| Chatham-Kent | Hope, Randy R. | ND | Deputy Speaker and Chair of the Committee of the Whole House/ Vice-Président et Président du Comité plénier de l'Assemblée législative |
| Cochrane North/-Nord | Wood, Len | ND | parliamentary assistant to Minister of Community and Social Services/adjoint parlementaire du ministre des Services sociaux et communautaires |
| Cochrane South/-Sud | Bisson, Gilles | ND | parliamentary assistant to Minister of Natural Resources/ adjoint parlementaire du ministre des Richesses naturelles |
| Cornwall | Cleary, John C. | L | parliamentary assistant to Minister of Northern Development and Mines, parliamentary assistant to minister responsible for francophone affairs/adjoint parlementaire de la ministre du Développement du Nord et des Mines, adjoint parlementaire du ministre délégué aux Affaires francophones |
| Don Mills | Ward, Margery | ND | |
| Dovercourt | Silipo, Hon/L'hon Tony | ND | parliamentary assistant to Minister of Government Services/ adjointe parlementaire du ministre des Services gouvernementaux |
| Downsview | Perruzza, Anthony | ND | Chairman of Management Board of Cabinet, Minister of Education/président du Conseil de gestion du gouvernement, ministre de l'Éducation |
| Dufferin-Peel | Tilson, David | PC | parliamentary assistant to Minister for Skills Development/ adjoint parlementaire du ministre de la Formation professionnelle |
| Durham Centre/-Centre | White, Drummond | ND | |
| Durham East/-Est | Mills, Gord | ND | Chair, standing committee on regulations and private bills/ Président du Comité permanent des règlements et des projets de loi privés |
| Durham West/-Ouest | Wiseman, Jim | ND | parliamentary assistant to Minister of Municipal Affairs/ adjoint parlementaire du ministre des Affaires municipales |
| Durham-York | O'Connor, Lawrence | ND | parliamentary assistant to Minister of Correctional Services/ adjoint parlementaire du ministre des Services correctionnels |
| Eglinton | Poole, Dianne | L | parliamentary assistant to minister responsible for the greater Toronto area/adjoint parlementaire de la ministre responsable du Bureau de la région du grand Toronto |
| Elgin | North, Hon/L'hon Peter | ND | |
| Essex-Kent | Hayes, Pat | ND | Minister of Tourism and Recreation/ ministre du Tourisme et des Loisirs |
| | | | parliamentary assistant to Minister of Agriculture and Food (agriculture)/adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation (agriculture) |

| Constituency | Name of member | Party | Other responsibilities |
|---|---------------------------|-------|--|
| Essex South/-Sud | Mancini, Remo | L | Chair, standing committee on public accounts/ Président du Comité permanent des comptes publics |
| Etobicoke-Lakeshore | Grier, Hon/L'hon Ruth A. | ND | Minister of the Environment, minister responsible for the greater Toronto area/ministre de l'Environnement, ministre responsable du Bureau de la région du grand Toronto |
| Etobicoke-Humber | Henderson, D. James | L | |
| Etobicoke-Rexdale | Philip, Hon/L'hon Ed | ND | Minister of Industry, Trade and Technology/ ministre de l'Industrie, du Commerce et de la Technologie |
| Etobicoke West/-Ouest | Stockwell, Chris | PC | |
| Fort William | McLeod, Lyn | L | Leader of the Opposition/chef de l'opposition |
| Fort York | Marchese, Rosario | ND | parliamentary assistant to the Premier, parliamentary assistant to Minister of Intergovernmental Affairs/adjoint parlementaire du premier ministre, adjoint parlementaire du ministre des Affaires intergouvernementales |
| Frontenac-Addington | Wilson, Hon/L'hon Fred | ND | Minister of Government Services/ ministre des Services gouvernementaux |
| Grey | Murdoch, Bill | PC | |
| Guelph | Fletcher, Derek | ND | parliamentary assistant to Minister of Consumer and Commercial Relations/adjoint parlementaire de la ministre de la Consommation et du Commerce |
| Halton Centre/-Centre | Sullivan, Barbara | L | |
| Halton North/-Nord | Duignan, Noel | ND | Chair, standing committee on the Legislative Assembly/ Président du Comité permanent de l'Assemblée législative |
| Hamilton Centre/-Centre | Christopherson, David | ND | parliamentary assistant to Treasurer of Ontario and Minister of Economics/adjoint parlementaire du Trésorier de l'Ontario et du ministre de l'Économie |
| Hamilton East/-Est | Mackenzie, Hon/L'hon Bob | ND | Minister of Labour/ministre du Travail |
| Hamilton Mountain | Charlton, Hon/L'hon Brian | ND | Minister of Financial Institutions, acting Minister of Energy/ ministre des Institutions financières, ministre de l'Énergie par intérim |
| Hamilton West/-Ouest | Allen, Hon/L'hon Richard | ND | Minister of Colleges and Universities, Minister of Skills Development/ministre des Collèges et Universités, ministre de la Formation professionnelle |
| Hastings-Peterborough | Buchanan, Hon/L'hon Elmer | ND | Minister of Agriculture and Food/ ministre de l'Agriculture et de l'Alimentation |
| High Park-Swansea | Ziembra, Hon/L'hon Elaine | ND | Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations/ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales |
| Huron | Klopp, Paul | ND | parliamentary assistant to Minister of Agriculture and Food (food)/ adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation (alimentation) |
| Kenora | Miclash, Frank | L | opposition deputy whip/whip adjoint de l'opposition |
| Kingston and The Islands/ Kingston et Les Îles | Wilson, Gary | ND | parliamentary assistant to Minister of Culture and Communications/ adjoint parlementaire de la ministre de la Culture et des Communications |
| Kitchener | Ferguson, Will | ND | |
| Kitchener-Wilmot | Cooper, Mike | ND | deputy government whip; Chair, standing committee on administration of justice/whip adjoint du gouvernement, Président du Comité permanent de l'administration de la justice |
| Lake Nipigon/Lac-Nipigon | Pouliot, Hon/L'hon Gilles | ND | Minister of Transportation, minister responsible for francophone affairs/ministre des Transports, ministre délégué aux Affaires francophones |
| Lambton | MacKinnon, Ellen | ND | Vice-Chair, standing committee on regulations and private bills/ Vice-Présidente du Comité permanent des règlements et des projets de loi privés |
| Lanark-Renfrew | Jordan, W. Leo | PC | |
| Lawrence | Cordiano, Joseph | L | Vice-Chair, standing committee on public accounts/ Vice-Président du Comité permanent des comptes publics |
| Leeds-Grenville | Runciman, Robert W. | PC | Chair, standing committee on government agencies/ Président du Comité permanent des organismes gouvernementaux |
| Lincoln | Hansen, Ron | ND | Chair, standing committee on finance and economic affairs/ Président du Comité permanent des finances et des affaires économiques |
| London Centre/-Centre | Boyd, Hon/L'hon Marion | ND | Minister of Community and Social Services, minister responsible for women's issues/ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine |
| London North/-Nord | Cunningham, Dianne | PC | Progressive Conservative chief whip/ whip en chef du Parti progressiste-conservateur |

| Constituency | Name of member | Party | Other responsibilities |
|---|--------------------------------|-------|---|
| London South/-Sud | Winninger, David | ND | parliamentary assistant to Attorney General, parliamentary assistant to minister responsible for native affairs/adjoint parlementaire du Procureur général, adjoint parlementaire du ministre délégué aux Affaires autochtones |
| Markham | Cousens, W. Donald | PC | |
| Middlesex | Mathysen, Irene | ND | parliamentary assistant to Minister of the Environment/ adjointe parlementaire de la ministre de l'Environnement |
| Mississauga East/-Est | Sola, John | L | |
| Mississauga North/-Nord | Offer, Steven | L | |
| Mississauga South/-Sud | Marland, Margaret | PC | Vice-Chair, standing committee on estimates/ Vice-Présidente du Comité permanent des budgets des dépenses |
| Mississauga West/-Ouest | Mahoney, Steven W. | L | chief opposition whip/whip en chef de l'opposition |
| Muskoka-Georgian Bay | Waters, Daniel | ND | parliamentary assistant to Minister of Tourism and Recreation; Vice-Chair, standing committee on resources development/ adjoint parlementaire du ministre du Tourisme et des Loisirs, Vice-Président du Comité permanent du développement des ressources |
| Nepean | Daigeler, Hans | L | Vice-Chair, standing committee on social development/ Vice-Président du Comité permanent des affaires sociales |
| Niagara Falls | Harrington, Margaret H. | ND | parliamentary assistant to Minister of Housing/ adjointe parlementaire de la ministre du Logement |
| Niagara South/-Sud | Coppen, Hon/L'hon Shirley | ND | Minister without Portfolio, chief government whip/ ministre sans portefeuille, whip en chef du gouvernement |
| Nickel Belt | Laughren, Hon/L'hon Floyd | ND | Deputy Premier, Treasurer of Ontario and Minister of Economics/ vice-premier ministre, Trésorier de l'Ontario et ministre de l'Économie |
| Nipissing | Harris, Michael | PC | leader of the Progressive Conservative Party/ chef du Parti progressiste-conservateur |
| Norfolk | Jamison, Norm | ND | parliamentary assistant to Minister of Industry, Trade and Technology, responsible for small business/adjoint parlementaire du ministre de l'Industrie, du Commerce et de la Technologie, délégué aux Affaires des petites entreprises |
| Northumberland | Fawcett, Joan M. | L | |
| Oakville South/-Sud | Carr, Gary | PC | |
| Oakwood | Rizzo, Tony | ND | |
| Oriole | Caplan, Elinor | L | |
| Oshawa | Pilkey, Hon/L'hon Allan | ND | Solicitor General, Minister of Correctional Services/ Solliciteur général, ministre des Services correctionnels |
| Ottawa Centre/-Centre | Gigantes, Hon/L'hon Evelyn | ND | Minister of Housing/ministre du Logement |
| Ottawa East/-Est | Grandmaitre, Bernard C. | L | |
| Ottawa-Rideau | O'Neill, Yvonne | L | |
| Ottawa South/-Sud | McGuinty, Dalton J.P. | L | |
| Ottawa West/-Ouest | Chiarelli, Robert | L | |
| Oxford | Sutherland, Kimble | ND | parliamentary assistant to Chairman of Management Board of Cabinet; Vice-Chair, standing committee on finance and economic affairs/ adjoint parlementaire du président du Conseil de gestion du gouvernement, Vice-Président du Comité permanent des finances et des affaires économiques |
| Parkdale | Ruprecht, Tony | L | |
| Parry Sound | Eves, Ernie | PC | Progressive Conservative House leader/ chef parlementaire du Parti progressiste-conservateur |
| Perth | Haslam, Hon/L'hon Karen | ND | Minister of Culture and Communications/ ministre de la Culture et des Communications |
| Peterborough | Carter, Jenny | ND | parliamentary assistant to Minister of Citizenship, responsible for human rights, disability issues, seniors' issues and race relations/ adjointe parlementaire de la ministre des Affaires civiques, déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales |
| Port Arthur | Wark-Martyn, Hon/L'hon Shelley | ND | Minister of Revenue/ministre du Revenu |
| Prescott and Russell/ Prescott et Russell | Poirier, Jean | L | |
| Prince Edward-Lennox-South Hastings/ Prince-Edward- Lennox-Hastings-Sud | Johnson, Paul R. | ND | parliamentary assistant to Minister of Revenue/ adjoint parlementaire de la ministre du Revenu |
| Quinte | O'Neil, Hugh P. | L | |
| Rainy River | Hampton, Hon/L'hon Howard | ND | Attorney General/Procureur général |
| Renfrew North/-Nord | Conway, Sean G. | L | Deputy Leader of the Opposition/chef adjoint de l'opposition |
| Riverdale | Churley, Hon/L'hon Marilyn | ND | Minister of Consumer and Commercial Relations/ ministre de la Consommation et du Commerce |
| S-D-G & East Grenville/ S.-D.-G. & Grenville-Est | Villeneuve, Noble | PC | Second Deputy Chair of the Committee of the Whole House/ Deuxième Vice-Président du Comité plénier de l'Assemblée législative |

| Constituency | Name of member | Party | Other responsibilities |
|--|----------------------------------|-------|--|
| St Andrew-St Patrick | Akande, Zanana | ND | parliamentary assistant to the Premier |
| St Catharines | Bradley, James J. | L | |
| St. Catharines-Brock | Haeck, Christel | ND | government whip; Vice-Chair, standing committee on the Ombudsman/ whip du gouvernement, Vice-Présidente du Comité permanent de l'ombudsman |
| St. George-St. David | Scott, Ian G. | L | |
| Sarnia | Huget, Bob | ND | parliamentary assistant to acting Minister of Energy/ adjoint parlementaire du ministre de l'Énergie par intérim |
| Sault Ste Marie/ Sault-Sainte-Marie | Martin, Tony | ND | parliamentary assistant to Minister of Education/ adjoint parlementaire du ministre de l'Éducation |
| Scarborough-Agincourt | Phillips, Gerry | L | |
| Scarborough Centre/-Centre | Owens, Stephen | ND | parliamentary assistant to Minister of Financial Institutions/ adjoint parlementaire du ministre des Institutions financières |
| Scarborough East/-Est | Frankford, Robert | ND | |
| Scarborough-Ellesmere | Warner, Hon/L'hon David | ND | Speaker/Président |
| Scarborough North/-Nord | Curling, Alvin | L | opposition deputy whip/whip adjoint de l'opposition |
| Scarborough West/-Ouest | Swarbrick, Anne | ND | |
| Simcoe Centre/-Centre | Wessenger, Paul | ND | parliamentary assistant to Minister of Health/ adjoint parlementaire de la ministre de la Santé |
| Simcoe East/-Est | McLean, Allan K. | PC | Vice-Chair, standing committee on government agencies/ Vice-Président du Comité permanent des organismes gouvernementaux |
| Simcoe West/-Ouest | Wilson, Jim | PC | |
| Sudbury | Murdock, Sharon | ND | parliamentary assistant to Minister of Labour/ adjointe parlementaire du ministre du Travail |
| Sudbury East/-Est | Martel, Hon/L'hon Shelley | ND | Minister of Northern Development and Mines/ ministre du Développement du Nord et des Mines |
| Timiskaming | Ramsay, David | L | |
| Victoria-Haliburton | Drainville, Dennis | ND | First Deputy Chair of the Committee of the Whole House/ Premier Vice-Président du Comité plénier de l'Assemblée législative |
| Waterloo North/-Nord | Witmer, Elizabeth | PC | |
| Welland-Thorold | Kormos, Peter | ND | Chair, standing committee on resources development/ Président du Comité permanent du développement des ressources |
| Wellington | Arnott, Ted | PC | |
| Wentworth East/-Est | Morrow, Mark | ND | Chair, standing committee on the Ombudsman; Vice-Chair, standing committee on administration of justice/ Président du Comité permanent de l'ombudsman, Vice-Président du Comité permanent de l'administration de la justice |
| Wentworth North/-Nord | Abel, Donald | ND | government whip/whip du gouvernement |
| Willowdale | Harnick, Charles | PC | |
| Wilson Heights | Kwinter, Monte | L | |
| Windsor-Riverside | Cooke, Hon/L'hon David | ND | Minister of Municipal Affairs, government House leader/ ministre des Affaires municipales, chef parlementaire du gouvernement |
| Windsor-Sandwich | Dadamo, George | ND | parliamentary assistant to Minister of Transportation/ adjoint parlementaire du ministre des Transports |
| Windsor-Walkerville | Lessard, Wayne | ND | parliamentary assistant to Minister of Colleges and Universities/ adjoint parlementaire du ministre des Collèges et Universités |
| York Centre/-Centre | Sorbara, Gregory S. | L | |
| York East/-Est | Malkowski, Gary | ND | parliamentary assistant to Minister of Citizenship, responsible for human rights, disability issues, seniors' issues and race relations/ adjoint parlementaire de la ministre des Affaires civiques, déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales |
| York Mills | Turnbull, David | PC | |
| York North/-Nord | Beer, Charles | L | Chair, standing committee on social development/ Président du Comité permanent des affaires sociales |
| York South/-Sud | Rae, Hon/L'hon Bob | ND | Premier, President of the Executive Council, Minister of Intergovernmental Affairs/premier ministre, président du Conseil des ministres, ministre des Affaires gouvernementales |
| Yorkview | Mammoliti, George | ND | parliamentary assistant to minister responsible for substance abuse strategy/adjoint parlementaire de la ministre déléguée à la Stratégie pour la prévention de la toxicomanie |

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Finances et affaires économiques**

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General government/Affaires gouvernementales

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Marchese, Bill Murdoch, Dianne Poole, John Sola
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Will Ferguson, Robert Frankford, Bernard C. Grandmaitre, Rosario
Marchese, Chris Stockwell, Daniel Waters, Jim Wiseman
Clerk/Greffier: Douglas Arnott

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Chair/Président: Noel Duignan
Vice-Chair/Vice-Président: Mike Farnan
Members/Membres: Mike Cooper, Paul R. Johnson, Margaret Marland,
Irene Mathyssen, Carman McClelland, Gord Mills, Gilles E. Morin,
Stephen Owens, Barbara Sullivan, Noble Villeneuve
Clerk/Greffier: Douglas Arnott

Ombudsman/Ombudsman

Chair/Président: Mark Morrow
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Clerk/Greffier: Franco Carrozza

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W. Leo Jordan, Paul Klopp, Dalton J.P. McGuinty, Sharon Murdock,
Steven Offer, David Turnbull, Len Wood
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Chair/Président: Charles Beer
Vice-Chair/Vice-Président: Hans Daigeler
Members/Membres: Dennis Drainville, Joan M. Fawcett, Tony Martin,
Irene Mathyssen, Yvonne O'Neill, Stephen Owens, Drummond White,
Gary Wilson, Jim Wilson, Elizabeth Witmer
Clerk/Greffière: Lynn Mellor

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Legislative Assembly of Ontario

Second Session, 35th Parliament

Official Report of Debates (Hansard)

Wednesday 15 July 1992

Assemblée législative de l'Ontario

Deuxième session, 35^e législature

Journal des débats (Hansard)

Mercredi 15 juillet 1992



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 15 July 1992

The House met at 1332.

Prayers.

MEMBERS' STATEMENTS

LABOUR LEGISLATION

Mr John C. Cleary (Cornwall): Among the chorus of concerns over the NDP-proposed changes to the labour legislation, included is the voice of the province's second-largest industry, agriculture and food. I think it is fair to say there's widespread agreement that agriculture should be covered by special legislation. Clearly this seasonal and time-conscious industry deserves special consideration.

While a final report of the Task Force on Agricultural Labour Relations was submitted to the government almost three weeks ago, the Minister of Labour and the Minister of Agriculture and Food fail to respond to this aspect of their labour relations overhaul.

The Minister of Labour has stated, "We will take a very serious look at the [agriculture] task force report," which would therefore indicate the ministry's commitment to giving agriculture the special consideration it deserves. But from the other side of his mouth, the Minister of Labour has said, "It would be very difficult to pull out certain groups and exempt them from the provisions of the legislation."

The NDP government is offering farmers doubletalk at best. More often, the NDP is not saying anything at all about the impact its proposed labour legislation will have on agriculture.

Ontario's rural community already finds itself ailing and stressed. Farmers deserve to know where the legislation is heading and how it will affect them. I fear that with the curtailment of debate on this bill, it is unlikely that either minister will ever be offering any information to farmers.

ACCESS TO TRADES AND PROFESSIONS

Mrs Elizabeth Witmer (Waterloo North): I would like to draw the government's attention to the serious problem of a lack of access to trades and professions faced by people who have been educated and trained outside this province.

I have recently met with the representatives of an organization from my community called Skilled Employment Entry and Development. These dedicated individuals are committed to the goal of increased and more equitable access to employment for those educated and trained outside Ontario. The two most significant barriers confronting these people are the lack of consistent recognition of foreign qualifications and the demands by employers for perspective job applicants to have related work experience in Canada.

The government of Ontario has been extremely slow to take action to promote the recognition of foreign-trained professionals and to help facilitate their entry

into the Ontario workforce. Much more needs to be done by this government to work cooperatively with organizations such as Skilled Employment Entry and Development to develop innovative approaches to this problem.

I would like to encourage the government to work with professional and trade associations in Ontario to remove these barriers to employment and to review their existing entry requirements to allow the qualifications of foreign trade professionals without decreasing their standards. I would like to urge the government to take immediate action to address this problem.

REFUGEES

Mr Peter Kormos (Welland-Thorold): For the last couple of months on Sunday evenings, with Father Conrad Daichuk, I've been meeting at St Michael's Ukrainian Catholic Church in Welland with Hispanic and Ukrainian refugees who have fled their countries because of the fear of death and violence and the persistent persecution they've been victims of.

One of those people is here in this House with us today, José Munoz. José Munoz is exceptional because he fled Argentina with his wife and two Argentinian-born children some three years ago to escape persecution by the military there, sought refugee status here and now has two children born in this country and this province, citizens of this country. But a federal government that doesn't give a tinker's dam about the welfare of José Munoz or thousands of other South American and Central American refugees is sending this man back on August 7 to what will be, I tell you, inevitable persecution and possible death.

The federal government and the minister, who could care less about the welfare of these people, is victimizing Munoz, his wife and his four children, two of them Canadian citizens, in a way that only parallels the brutality of an oppressive regime, the military of which persecuted this man. He was the victim of a refugee adjudication process which denied him the right to counsel and persisted in refusing him the right to an adjournment so that he could obtain counsel. It is a refugee and immigration system about which none of us can be proud and which is an international embarrassment.

I call upon others in this House to join me in protesting this most vehemently and in helping to protect the lives of José Munoz and others like him.

CHEQUE CASHING BILL

Mr Gilles E. Morin (Carleton East): The Minister of Community and Social Services wrote to me last June. She was concerned because in her view Bill 154 did not ensure that government cheques would be cashed. I have said many times that the prohibition of fees is a first step. I have encouraged this minister to implement measures which would facilitate cheque cashing for low-income Ontarians.

I find it very unusual that the minister would worry about a situation over which she has full control. She has the responsibility of distributing social assistance in this province. She must make certain that people receive the full amount to which they are entitled. This mandate is entirely within her ministry's jurisdiction. She could even enlist the support of the Minister of Consumer and Commercial Relations in order to better protect the interests of low-income Ontarians.

The problem is not one of means. The real problem is the lack of will to act upon an urgent issue. Many solutions have been brought forward but the answer is always, "Let's wait and see." How much longer must recipients of social assistance wait? How much longer must they be deprived of the full amount of their benefits?

If this minister truly shares my concern for the low-income residents of Ontario, as she claims, then she cannot sit idly by while the people who depend upon her ministry's services are exploited.

1340

HYDRO RATES

Mr Charles Harnick (Willowdale): The people of Willowdale will be faced with a 9.1% increase in their Hydro rates in 1993. This escalation follows annual increases of 8.7% and 11.8%.

To quote a recent letter to the Minister of Energy from North York Hydro, "Under present economic conditions, with inflation running at 1% to 2% and many of our customers being asked for wage concessions, increases of this order of magnitude are unacceptable."

Exorbitant Hydro rates not only affect the individual household, but they increase the cost of doing business in Ontario while decreasing our competitive advantage. Industry will not invest with confidence if it cannot depend on a reliable supply of power at reasonable rates.

In 1992, the average Ontario family of four will spend about 45% of its income to pay its taxes. A recent study says that the tax burden for the average Ontario family will increase by \$350 as a consequence of measures introduced in this provincial government's 1992 budget. This will be the largest package of provincial tax increases in Ontario since Confederation.

This government, like all other governments, must come to the realization that there is only one taxpayer. That one taxpayer cannot afford to pay any more taxes. On behalf of the people of Willowdale, I urge the government to cut taxes and ease the burden being placed on the hardworking taxpayers of Willowdale.

BRITISH PENSIONS

Mr Gordon Mills (Durham East): Tomorrow, I will have the opportunity to bring before this Legislature a resolution that will attempt to bring pressure upon the government of the United Kingdom to come to grips with perhaps the greatest inequity of all time: pensions for which full payments have been made, yet which have not been paid.

British old-age pensioners are fed up to the teeth with making annual pilgrimages to the United Kingdom to tell British politicians how unhappy they are with this current

pension situation. But perhaps even less digestible than the cruelty that such a position expresses is that a country which has always prided itself on its common sense and embraced the practice of logical and rational behaviour could allow this utterly irrational and preposterous discrimination.

Only yesterday a woman called my office to tell me how her mother had come to visit her from England and while here suffered a stroke. She could never return home to live alone, but through this found her pension frozen and her supplement cut off, thereby placing a tremendous financial burden upon the whole family.

Inflation increased 270% in Canada between 1976 and 1991. From that it's easy to see the devastating effect that the freezing of British pensions paid to Canadians is having upon the British old-age pensioners living in Ontario.

I urge all British old-age pensioners living close to Queen's Park to come down tomorrow at 10 am to listen to the debate on an issue that affects their quality of life.

LANDFILL

Mr Gregory S. Sorbara (York Centre): Last night, well over 500 citizens of King township and the city of Vaughan attended a rally against the proposed garbage dump for York region and against Bill 143. At the meeting, both residents and municipal officials made it clear they would move heaven and earth to prevent their communities from playing host to Metro's garbage.

A few weeks ago, the Richmond Hill Liberal and the Vaughan Liberal published a strongly worded editorial condemning Bill 143 and the arbitrary decision of the Minister of the Environment to force Metro Toronto's garbage on to the community of York region. The paper also encouraged its readers to complete coupons expressing their dissatisfaction with Bill 143. Hundreds and hundreds of readers responded.

I have today with me over 800 of their coupons, along with a number of letters from residents of York region. They are angered by the minister's arbitrary and unilateral decision to impose a dump on their homes. I am presenting these to the minister today, hoping that she will, at a minimum, respond personally and directly to the petitioners.

The garbage crisis in the greater Toronto area has been created by the Minister of the Environment. She and the Premier bear full responsibility for the state of anger and panic that has gripped the people of our region. She must act now to present a new proposal for new solutions for the disposal of garbage in the greater Toronto area.

PRIVATE MEMBERS' PUBLIC BUSINESS

Mr Allan K. McLean (Simcoe East): My statement concerns this government's failure to realize that it is fundamental to the true democratic process that each individual member, either on the government side or in the opposition benches, has a meaningful opportunity to participate in the legislative process of this Legislature and to truly reflect the wishes and views of our constituents.

Two recent examples involve the member for Carleton East's private member's Bill 154, the Government Cheque Cashing Act, and my private member's Bill 17, the Motor

Boat Operators' Licensing Act. Bill 154 would have saved money; Bill 17 would have saved lives.

It is a sad state of affairs that we have become so accustomed to the silent demise of private members' bills that the people of Ontario just assume it is going to happen. Government members can make all the proper noises of support for a particular private member's bill, but it is a known fact that the current procedure for these bills contains an implicit veto of the government House leader. This veto need not be explained or justified to elected representatives or to their constituents.

Bill 154 was ordered for third reading last April and Bill 17 received second reading last Thursday and was referred to the committee of the whole House. These two bills are now dead, because this government will simply fail to act on them.

Rather than fiddling with Ontario's labour laws and standing orders, this government should concentrate instead on reforming the legislative process to enable all elected members to have a meaningful opportunity to participate in the policy decisions of this Legislature.

LANDFILL

Mr Larry O'Connor (Durham-York): On June 4 the Interim Waste Authority released a list of 19 candidate landfill sites in York region. Nine of the sites are located within my riding. I have spoken to many of the people in my riding and I know the pain, anger and mixed emotions they are feeling. Eventually one of the sites in York will be chosen by the IWA.

It has been the cause of much anguish for me to see members of this House continue to present selected facts focused on only parts of Bill 143, and that continues to upset the community I represent. I want you to know I will do everything in my power to help the people affected by the IWA's landfill search within my riding. I have attended many large meetings and will continue to meet the newly formed residents' committee. I have addressed large rallies outside this House. I have attended a talk show which allowed my constituents to call in and ask questions. I have walked half of the sites and will walk the remainder with local groups and residents.

Yesterday I was able to chair a meeting with representatives from the umbrella group Environment Not Economics which was formed after the June 4 announcement by the IWA. That meeting showed me that an open dialogue can still happen. I want to thank all those present, including Minister Grier, for allowing that group to present its brief.

This government is committed to making sure the process of site selection is as open and fair as possible. We will never return to the days of previous governments where a few politicians selected a site behind closed doors without consultation or participation of the public. That's why the IWA was formed. But that doesn't mean we are turning our backs on the people whom we were elected to represent.

STATEMENTS BY THE MINISTRY

ONTARIO PLACE

Hon Peter North (Minister of Tourism and Recreation): I am pleased to inform the House that Ontario Place has entered into a partnership with MCA Concerts Canada to revitalize the Forum at Ontario Place.

MCA Concerts Canada, a company owned in part by Molson Breweries, will invest approximately \$12 million to replace the current Forum facilities with an 18,000-seat seasonal concert venue and administrative facilities.

I would like to point out that while there is no public money involved in the agreement, this \$12-million private sector investment furthers public sector goals. It helps to ensure that Ontario Place remains financially viable. It will also generate public sector revenues to help ensure Ontario Place remains accessible to everyone.

In addition, the construction phase, which begins this fall, will create 105 person-years of employment. The new facility will open in June 1993. MCA Concerts Canada will manage and operate the new facility under a revenue-sharing agreement with Ontario Place.

1350

I have brought this information to the attention of the House for several reasons.

First, tens of thousands of Ontario residents and visitors who attend concerts at the Forum every year can look forward to enjoying events next season in a state-of-the-art facility with more comfortable seating.

Second, the new agreement strengthens an ongoing partnership between two public and private sector organizations. Molson Breweries, a part owner of MCA Concerts Canada, has long been a corporate sponsor at Ontario Place. The revitalization of the Forum is a good example of the mutually beneficial, private-public sector partnerships this government believes are an important component of Ontario's economic renewal.

Finally, I am very pleased that the major capital investment will achieve two objectives: It will create good-paying jobs, starting within three to four months, and it will also enhance Ontario Place's contribution to the revitalization of Toronto's waterfront.

MINISTRY TRAINING SCHOOL

Hon Allan Pilkey (Minister of Correctional Services): On Tuesday the member for Leeds-Grenville raised some very serious issues regarding the operation of the Ministry of Correctional Services' Bell Cairn Staff Development Centre.

As a member of this government and as an employer, I recognize that the issue of gender equality and the right to be free from sexual discrimination, harassment and assault must be assured to all members of staff in this government. Sexual harassment or sexual assault will not be tolerated.

The issues raised are very disturbing to me. I take any allegations of sexual assault very seriously. Accordingly, I have two announcements to make today. First, I have ordered a police investigation into the allegations at the Bell Cairn centre. Second, I have assured those touched by

these allegations that their right to privacy will be protected as the investigation proceeds.

This government and this minister will not tolerate sexual assault, abuse or discrimination in any form.

RESPONSES

ONTARIO PLACE

Mr Hugh P. O'Neil (Quinte): I stand to reply to the statement made by the Minister of Tourism and Recreation. I would like to say, first of all, that I am a very strong supporter of Ontario Place. Anything we can do at Ontario Place to attract additional tourists to the province and to provide pleasure for residents of Ontario, I support. I think this combination with a private company is a good one, and we should look forward to having other such contracts made.

I would like to say, though, to the Minister of Tourism and Recreation that I'd like to feel the contract that has been entered into with this particular private company can be reviewed, if necessary, to make sure it is a good contract, that not only Ontario Place but the Ontario government is coming out of the contract with what it should have.

Now comes the other part. I'd like to say to the Minister of Tourism and Recreation, the Premier and other members of his cabinet and his party that the tourism industry in the province is having a lot of problems. We have hotels that are empty. We have restaurants that are empty. We have attractions that are empty. It behooves this government and this cabinet to do more to assist the tourism industry in Ontario.

We're faced with high gasoline prices, high taxes and many other things that are deterring tourists from coming to Ontario. You know that, Minister. You know what our numbers are going to be this year. You also know that because of the economic situation we have in Ontario, unless you, the cabinet and the Premier do something to help the tourism industry in this province to keep existing, we are going to lose a lot of these people.

I am pleased with this particular announcement, but I say to you again, Minister, you should be pressing the Premier and other members of the cabinet and members of your party to do more for the tourism industry in Ontario. They don't seem to see the importance of it. We used to have a fight within our cabinet during certain times too, but I tell you this: When you look at the number of jobs that are created by the tourism industry, this is one place where you could put this province back on the map.

MINISTRY TRAINING SCHOOL

Mr Robert V. Callahan (Brampton South): I'd like to respond to the very serious allegations that are made and the minister's response. I would have expected more than one page, Minister. Are the women of this province safe in terms of being in the civil service? You've told us that sexual harassment or sexual assault would not be tolerated. It was tolerated apparently for several months, if the allegations are true, and you didn't know about it.

I'd like to know, Minister: Are these people in fact going to be safe? Are you going to keep your ear to the

wheel? Are you going to know what your deputy minister knows? Or does it take a social worker to eventually tell you that the women of correctional facilities and other facilities are being molested?

If these allegations are correct—we don't want another Grandview—I suggest that you decide right now and that you suggest to your cabinet colleagues that perhaps whistle-blowing legislation should be introduced immediately. Why should these women have to worry about peer group pressures? If this had happened on the street, there would have been sexual assault charges laid.

You're now having the police investigate a track that's probably cold. I want to know how wide the investigation is going to be. Is it just going to be of the complainants or the people who are complained about, or is it going to be broader than that? I suggest that Grandview should have taught us something. It should have taught us that we have to make certain that our institutions are safe for those who are being guarded as well as those who are the guards.

I suggest to you that it doesn't ring very fair or true for you to come out with a one-page statement saying that you're going to have the police investigate. That's hardly being a guardian of the women of this province. I suggest to you that you failed in your role. Perhaps the Premier should look at the question of splitting those two portfolios. You obviously can't look after both of them. I'm not sure you can look after either one of them, quite frankly.

You say you're going to keep the privacy of these people protected. It's blown already. These people are already the subject of wide press and they'll be the subject of wide press tomorrow. Why could these people not have had a sensitive place they could go to and in privacy related these facts?

When this happened recently in the United States, those officers were immediately put on temporary leave. Have you done that? Have you considered doing that? Have you done anything other than prepare a one-page statement for this House? I suggest to you that it's unacceptable. It should be unacceptable to the women of Ontario and to every woman in your caucus, and I'm surprised you haven't been skewered.

Quite frankly, this is unacceptable to all of us. If it had happened on the street, as I say, it would have been dealt with in a much more serious fashion and a much more swift fashion instead of letting it float around for several months and having to have a social worker eventually have it tipped off through one of the plain brown envelopes. We perhaps could have been investigated for that.

ONTARIO PLACE

Mr Ted Arnott (Wellington): I'm pleased to respond on behalf of the Progressive Conservative Party to the statement by the Minister of Tourism and Recreation today with respect to Ontario Place and MCA Concerts Canada and its willingness to invest \$12 million with this government.

I think the company itself deserves some measure of commendation for coming forward with this. I don't imagine it was the minister's idea. I wonder what other private sector consortium might have been put together with respect to this issue to put this forward.

This is apparently good news. It is the private sector coming forward to revitalize Ontario Place, although the details are rather sketchy, Minister. There's no question that we don't have all the information here today, primarily the details of the revenue-sharing agreement, which I would be most interested in receiving. I would expect you'll be willing to table that with me in the near future. I think more information is needed on the contract and, as I said, other companies that may have wanted to be involved in this revitalization of Ontario Place.

With the considerable interest that has been shown by the private sector in Ontario Place, I hope the minister is prepared to look forward beyond that into greater private sector involvement in Ontario Place.

Mrs Margaret Marland (Mississauga South): I too would like to comment on this announcement by the Minister of Tourism and Recreation. It's another statement where the media have it first. In this case, the Toronto Star has this story and we're hearing it after the fact in the House.

I am particularly interested, I suppose, that one minister is able to come up with \$12 million from somewhere for something in this province when we have another minister, namely, the minister responsible for the Art Gallery of Ontario, who only needed \$2.5 million and couldn't come up with it from anywhere. Here we are with this private sector investment for a seasonal facility versus the Art Gallery of Ontario, which is open all year round, which is full to the doors with gifts from the Ontario people for the Ontario people to see, and nobody can see it because it's closed for six months. It's a very interesting comparison. I simply point that out to this socialist government, which has yet to learn the value of the Art Gallery of Ontario.

1400

MINISTRY TRAINING SCHOOL

Mr Robert W. Runciman (Leeds-Grenville): I'm responding to the statement by the Minister of Correctional Services with respect to the Bell Cairn training centre. Regrettably, this whole matter would never have come to light had it not been for the courageous action of a civil servant who contacted me; someone in the Ministry of Correctional Services who knew right from wrong, someone who was distraught about the efforts of ministry officials to sweep this under the rug.

There are at least two serious omissions with respect to the statement today: one is that there is no reference to the communications breakdown within the ministry; also, there is no reference to an investigation into how this matter was handled, or rather mishandled, by senior officials in the ministry.

To say the treatment of these women was shameful is not strong enough. Instead of being treated with understanding, with compassion, with dignity and respect, they were treated like dirt. On this side of the House we understand the tremendous trauma the women would have experienced. I would encourage these Correctional Services ministry employees to come forward, either publicly or privately, to assist with this investigation. I can assure them that this Legislature will treat them with

the dignity and respect they deserve, a dignity and respect that was not provided them by the Ministry of Correctional Services.

ORAL QUESTIONS

ONTARIO ECONOMY

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Minister of Industry, Trade and Technology and it's about the state of the economy. The Treasurer in his budget indicated that the economy would begin to pick up now in the spring. You yourself, Minister, as you answer the questions in the House, assure us that things are just fine, investment's pouring in, business is confident about Bob Rae and the Ontario government. Yesterday you actually went into a little bit of a rant when the opposition dared to raise some questions about the economy. You said the Premier's telling you to just take it easy. You said the only problem is that the opposition doesn't have its facts.

Yesterday your own government released some additional facts I want to go over with you. They are to do with plant closures. In spite of the fact that you say things are fine and the Treasurer says the economy is picking up, in this report issued yesterday, this extremely important report, a report on permanent and indefinite layoffs in Ontario, we see 16 complete closures in the month of June. Last year, you will know there were 12 complete closures, fully a third more closures this year than last year. In the first six months of this year we see 74 complete closures; 58 last year. Throughout this report, three pages of complete closures: a tremendous indictment of the government.

As we ask you questions in the House, you say the only problem is that the opposition does not have the facts. You say everything is fine. I want a very simple answer to this question: If things are so fine out there, how is it that we are seeing record numbers of plant closures and record numbers of people being laid off due to plant closures?

Hon Ed Philip (Minister of Industry, Trade and Technology): I don't think this government or I have ever said everything is fine. We took over a government at the bottom of a recession. We've worked hard at fighting that recession with the various economic policies introduced by the Treasurer.

What I did say was that at a time when we are experiencing a recession in North America, this jurisdiction is outperforming every other jurisdiction. One only has to look at the latest employment figures. There were more jobs created in the last two months in this province than in all the other provinces combined. One need only look at the employment figures in the United States; in fact, New York state and New Jersey have experienced a greater increase in unemployment than Ontario. Indeed, if you look at closures in the northern United States, you'll find a greater number of closures in the state of Michigan and other states than in Ontario on a per capita basis.

Interjection.

Hon Mr Philip: Yes, it seems reasonable to compare apples with apples and oranges with oranges. I know the member for St Catharines doesn't like to do that.

Mr Phillips: Listen. You've got to get on and do something. The facts of the matter are that in the month of July, the month we're in right now—and this is when we're supposed to be pulling out of this recession; you with all your wonderful programs are supposed to get the economy going—we see already 18 more plants closing, already announced. Last July we saw 10 plants closing. Things are not getting better; things are getting worse.

You say, "We created jobs." Well, 50,000 people entered the workforce and 25,000 jobs were created. We're not even keeping up with the number of people entering the workforce. The thing that makes me so angry is your complacency. You're saying that things are fine. Things are not fine. We are seeing record numbers of closings. They're not slowing down; they're going up. We're seeing the unemployment rate not going down as the Treasurer promised, but going up. We see more people entering the workforce than you are creating jobs.

I want to ask again, how can you tell the people of Ontario that things are getting better when the facts—and these are the facts that you wanted to see—prove you wrong.

Hon Mr Philip: The member asks what we are doing. I outlined yesterday just a few of the new companies that are opening or expanding in Ontario, companies that any province would love to have but is not attracting. In fact, we are attracting more investment to Ontario than all of the other provinces combined, and that has been true throughout the history of this government.

Let me just give you an example of what we are doing. This morning, I did a ground-breaking for Husky, which is setting up an international research centre. The president of the Canadian Chamber of Commerce was there and was very complimentary about what this government is doing with that project.

Interjections.

The Speaker: Order, member for Etobicoke West.

Hon Mr Philip: Not only will it create a couple of hundred new jobs, but it will advance research and development in the plastics industry so that we can be competitive. If you want to know what this government is doing, you talk to the president of Husky or a few of the other companies we've been working with, things you never dreamed of doing to create a more competitive environment for Ontario.

Mr Phillips: I never dreamed of seeing six pages of plant closures in one year in Ontario. That's what I never dreamed of seeing. Honest to goodness, if you would just get your head out of the sand and stop your talking and do action.

In a speech four months ago you promised the Legislature we would see legislation on the training program introduced in the spring, your much-vaunted training. There is no legislation on the training program. You promised the Ontario investment fund; we are literally a minimum of six months away from that. We don't even see any legislation. You're out for consulting on it. You promised that. You promised in a speech four months ago your vaunted industrial strategy. We have not seen the industrial strategy from

you. You promised that worker ownership would get the unions involved in the program. The Ontario Federation of Labour has told you to shove it. The Canadian Auto Workers have told you that they're not going to participate in it. So have the Steelworkers.

Where is your program? You promised those four things. Will you give me the dates at which you will bring those in?

Hon Mr Philip: The statement the member made is simply not factual, and he knows it. We are consulting on the investment fund, we are meeting with considerable support out there and we are setting up a fund that is based on consultation. As I go around the province and talk to the presidents of trust companies, to trade unions, they wonder why it is that the United States could do it but the Liberal government couldn't do it in five years of power. We're doing it.

In this budget, with the kinds of programs that my ministry has been implementing to help industry restructure, it's up 96% over the last year of the Liberals. You had the money and you didn't do it to develop the industrial structure. We're out there doing it.

1410

MINISTRY TRAINING SCHOOL

Mr Ian G. Scott (St George-St David): I have a question for the Minister of Correctional Services. We're all, of course, delighted that at last a police investigation has been ordered as a result of disclosures made in this House yesterday, but the obvious concern, as the honourable member for Leeds-Grenville has indicated, is that if a senior member of the bureaucracy had not communicated with him personally, this matter would not have come to light in the House and presumably no police investigation would now be under way. That's a very serious allegation against the administration of the department.

I want to ask a question about the administration of your department. In the Toronto Star today, in an article by Paula Todd headed "Gang Rape Alleged At Jail Guards School," a spokesperson for your ministry, I take it of some seniority, confirmed that senior officials had known about this incident for some time. I think the public are entitled, if they are concerned, as we are, about the administration of your second ministry, to know the answer to two very simple questions, which, after a day, you will be able to answer if you are going to be candid with this House. First, what was the date on which senior officials first heard about this incident? Second, what was the date that you first heard about this incident?

Hon Allan Pilkey (Minister of Correctional Services): As to the second question, if I might take them in reverse order, the date I heard of the incident was yesterday.

Interjection.

Hon Mr Pilkey: As to the initial question by the honourable member opposite, I want to tell him—in an uninterrupted way, if I might, to his own caucus colleague—that this is a matter, as I indicated at that time and again today, that is of very serious concern to me. It is

a matter which I am going to see receives my fullest attention and the fullest attention of this government.

That view and that concern is also shared by the Premier of this government. He in fact has requested the secretary of cabinet to prepare a full and detailed report with respect to this entire situation. I believe that, coupled with the police investigation I have launched, will resolve this matter and speak rather directly and deliberately to any potential future occurrences.

Mr Scott: That's simply not responsive to the public administration concern that is presented here.

I'm glad a police investigation is under way. That's appropriate; I don't want to interfere with that in any way.

I hear that the minister was informed of this yesterday, and I take it he was informed in the House for the first time, that that's what his answer means. I accept it when he says that to me. What I want to know is what's going on in the department. A senior official of your ministry has said they had heard about this incident some time ago. They're obviously not telling you what you need to know.

What we're entitled to know is, when did senior officials, one or more, of your ministry first hear about this incident? The reason we want to know that is so we can gauge the length of time it took before they told you, because I don't think they told you until you heard about it here. What's going on there? When did they first hear about this incident?

Hon Mr Pilkey: That information will come, as I indicated, in a detailed report that will be prepared by the secretary to cabinet for the Premier. I think what is more important than that particular piece of information at this point in time is that the matter has been acted upon, that it has in fact been treated as an absolutely serious matter by this government and is getting that kind of direct and immediate attention.

Mr Scott: We understand that the allegation is serious and we are grateful that at last it will be investigated. I, for my part, am prepared to accept the proposition that you never even heard about this incident until you came to question period yesterday. That's not what we're concerned about in examining the public administration of the province of Ontario. What we're concerned about is the statement made by your officials—do you work for them or do they work for you?—who said, "We've known about this incident for some time." Have you found out how long they knew? That's not a matter of the police investigation. That's a matter of going to them and saying, as I did many times, "When did you hear about this and why didn't you tell me?"

I want to know, when did they first hear about this, and if they heard some time ago, what have you done to bring them up to the mark? You're the minister. You're the government. These women who are told that if they don't make complaints they won't have them acted on have the right to know the answer to those questions. When did your senior officials first hear about this incident?

Hon Mr Pilkey: As I've indicated, and I apologize for the repetitiveness but the member forces me to repeat it, the appropriate and immediate and direct actions have

been taken. If the member opposite is looking for some kind of admission that the minister was not advised directly, he has that. What he also has—

Interjections.

The Speaker (Hon David Warner): Order.

Interjections.

The Speaker: With the cooperation of the member for Oriole, perhaps the minister will be allowed to respond.

Hon Mr Pilkey: Wherever I was interrupted in giving what I hope was a very responsive answer.

The issue which was raised yesterday is of absolute concern to me. I indicated that then; I'm saying it now. Actions I have taken are rather deliberate, they are direct and they are immediate. That is a circumstance that is not acceptable to me, and it will be redressed.

The Speaker: New question, third party.

Mr Robert W. Runciman (Leeds-Grenville): I have a question along much the same lines as the member for St George-St David. Since I raised the issue yesterday of the alleged sexual assault at the ministry's training school in Hamilton, at least two things have been established: (1) ministry officials knew about problems at the school and are reviewing security and hiring a night manager, and (2) these same officials knew from a credible source about the grave allegations of sexual assault by ministry employees on ministry property and did nothing about it. They engaged in what amounts to an unforgivable passive coverup.

The minister has had 24 hours to review this matter. Can he today indicate who in his ministry made the decision to do nothing, and can he also indicate what he has done to assure the people of this province, especially the women of this province, that this sort of thing will never, ever happen again?

Hon Mr Pilkey: I am very pleased to tell the member that a full and complete and detailed report is being put together. It has been requested of the secretary of cabinet, who has responsibility for deputy ministers. We have, in addition to that, commenced a police investigation.

I have said publicly and I have reiterated now many times that this is an unacceptable circumstance and that women in this province or in the Ontario public service whom we are directly responsible for should not be in any kind of circumstance where they feel any peer pressure or any difficulty in coming forward with respect to any incident in which they feel they have been violated or where there was any inappropriate activity. That is being done, and it is being done now.

1420

Mr Runciman: It's extremely disturbing to say the least that this minister would not be aware of such a serious allegation circulating in his ministry for some time. A credible source, a social worker in the ministry, brought this forward. I can think of no more serious charge than a gang rape by ministry staff on ministry property, yet this minister has admitted absolute ignorance of this situation. It was apparently kept in the dark. Can the minister tell us how in the world such a thing could happen? Why was he kept in the dark?

Hon Mr Pilkey: My discomfort and concern of not being advised of this particular situation will come as no surprise to anyone in this House. I can advise, however, of the immediate actions I have taken since. I think it is also very important that we not give out details in dribs and drabs which we have not had time to fully amass. When they are put together, and that is being done at this point under the direction of the Premier and the secretary of cabinet, we then will be in a position to give a chronological description of events and details.

The Speaker: Final supplementary?

Mr Runciman: I could ask a number of questions in respect to this but I think it's important at this stage that the minister give us a more forthcoming response than he's giving this afternoon. He's simply furthering the coverup of this matter in my view and, I think, the view of all of us on this side of the House.

I'm going to ask him a very specific question which he should be able to respond to in a like manner. He's had 24 hours—

Interjections.

The Speaker: I would ask the member for St George-St David to come to order and allow his colleague the member for Leeds-Grenville to place his question.

Mr Runciman: I believe the minister should be responding directly and indicating to the public of this province if indeed the deputy minister knew about this matter. He should be responding to various widespread concerns about the way this matter was handled internally, the attempt to hide this matter under the carpet, to keep employees who may have participated in a sexual assault on the job as peace officers.

In the minister's statement he said, "I recognize...the right to be free from sexual discrimination, harassment and assault." Mr Minister, don't you believe in conforming with what you've just said earlier in the House? The public has the right to know what happened in this matter internally within your ministry and, more important, the women of this province and especially the alleged victims in this case.

Hon Mr Pilkey: As I had indicated, the details and the chronological order of these matters are being amassed even as we speak. The details are of considerable concern to me. I have taken the most immediate steps possible to guarantee and ensure that our workplace is in fact free from sexual harassment and assault.

It may be well and good for certain members of the opposition to try to characterize my role in this particular situation, but I have to tell you that I feel very comfortable in the actions I have taken since this matter came to my attention.

Mrs Elinor Caplan (Oriole): You must answer the question.

The Speaker: Order, member for Oriole.

SCHOOL BREAKFASTS

Mr Michael D. Harris (Nipissing): I have a question for the Premier. Since your election I've risen in this House seven times over the past two years to question

your government about establishing a nutrition program, a breakfast program for children in this province. The current school year is over; educators are gearing up now for classes in September. The proposal I have continually presented to you does not call for a great bureaucratic decision, it does not call for a multiministry analysis, it does not even call for any taxpayer money. It calls for your cooperation and it calls for your leadership as Premier.

I would ask you today, Premier, two years after I asked you on the first occasion, when can we expect to see a nutrition program in our schools?

Hon Bob Rae (Premier and Minister of Intergovernmental Affairs): I'll refer this matter to the minister who's actively in charge of the file, the Minister of Community and Social Services.

Hon Marion Boyd (Minister of Community and Social Services): I want to thank the leader of the opposition for the question. This is certainly an issue, as he knows from our response to his motion in this House, that we are equally concerned with. We don't agree with some of his premises. One is that this requires no money; another is that it's simply a matter of taking leadership and so on. There are a number of important questions.

One of the issues that has been raised is the issue of what we might call a Good Samaritan act or a good faith act, such as it applies in many of the jurisdictions in the United States, in terms of surplus food, in terms of the need to look at how to distribute that in a way that's safe. That is certainly something that we are looking at, together with the Minister of Agriculture and Food and the Minister of the Environment, because of course waste food is also food that needs to be disposed of. So that is a real issue for us.

One of the other problems we have is that there is clear opposition in this province from many of the poverty advocacy groups for an extension of institutionalized feeding because the question is how that fits in with social service and social assistance reform. So what we would say to the leader of the opposition is that we are actively looking at this. It does require interministerial cooperation and we are hoping that in the fall we will be able to come forward with a program that meets the multiple needs of the people of Ontario.

Mr Harris: By way of supplementary, I want to tell you I am most distressed that this file is now with the Minister of Community and Social Services, who believes nothing can be done unless you spend millions and millions of dollars.

Hon Floyd Laughren (Deputy Premier, Treasurer and Minister of Economics): That's not what she said.

Mr Harris: That is exactly what she said.

There is no need for interministerial cooperation in this program. To provide simple nutrition in our schools requires the cooperation of the Ministry of Education to allow that to happen, the cooperation of the various affiliates of teachers' associations, which would be well forthcoming, and the leadership of the Premier, who, I can assure you from my discussions with teachers, from my discussions with the private sector, would be more than

enough to bring forward the kinds of programs that have worked in other jurisdictions, the kinds of programs that are working in some schools now, but not very many.

I would ask you, Minister, when I present you with an alternative that costs not one cent, that does not institutionalize anything, that simply provides nutrition for those who need it, whenever they need it during the school day in the classroom for no cost to the taxpayers, why is it you give me the bureaucratic answer and say we've got to have a multidisciplinary, interministerial committee? Why will you not talk to the Premier, tell him to take the leadership and it can start in September?

Hon Mrs Boyd: The Premier has taken great leadership in this area and that's why he's assigned it to those of us who have responsibility for the various areas. The Ministry of Education clearly has to be involved. Our ministry has to be involved because what we are talking about is feeding children.

The leader of the opposition is just amazing. He tells us, the parents, the people of Ontario that it costs nothing to feed children. That's nonsense. What we have to do is find a way to concentrate our resources in such a way that all children have an option, and we are not taking the responsibility away from parents, that we are in fact, as a community, taking responsibility together. That takes a lot of coordination. I don't have a magic wand, and frankly, if the leader of the opposition did, his party should have waved it 42 years ago.

1430

Mr Harris: Let me first of all apologize for George Drew for not introducing the program 42 years ago. I'm sorry on behalf of Mr Drew.

Having said that, here we are faced with a situation in 1992 very similar to 1991, very similar to 1990. We have seen the problems of our youth in Toronto and in other large cities all too clearly this past spring and in the summertime. We have seen what happens when hungry children don't get off to a good start in school. We have seen what happens when they begin to fall behind and they become disillusioned.

All I am asking you to do is stop tying up this issue in red tape. It is simple. If you really want to act, instead of making sure you have unionized workers cooking food, or instead of making sure that you institutionalize it all or instead of having this bureaucratic slot with a whole bunch of new civil servants, a budget and a whole whack of money, it requires simply this: leadership. It requires the Premier to say, "This will not happen in Ontario in 1992, and I am asking the educational community, I am asking the business community"—

The Speaker (Hon David Warner): Will the leader complete his supplementary, please.

Mr Harris: —"I am asking those who care about this province and this country to come together with me and put the program in place this September." Will you commit to that?

Hon Mrs Boyd: The Premier has asked us all, in all the ministries that are responsible, to coordinate exactly the kind of response the leader of the opposition is suggesting. No, I can't guarantee it will start in September, although I can say

that we certainly hope to be able to begin the process in September. If it is as simple as the leader of the opposition suggests, it simply would've been done a long time ago, certainly during the recession of 1981 when children were starving as well.

We have increased our social assistance rates to allow parents to have more dollars to spend on food for their children. That has been a priority. It has been the priority of the anti-poverty community and that is a part of the whole function that we want to have. We do not want stopgap charitable gestures to children; we want services that serve all children.

ENVIRONMENTAL TAX

Mr Steven W. Mahoney (Mississauga West): My question is to the Premier. Just a few moments ago I think you said, "Ask me how I feel about another issue." I want to ask you how you feel about an issue of grave importance to a number of people in the public galleries here today and to people who work in the beer can industry in this province.

In your budget, Premier, you implemented a tax on beer can workers, which clearly is having devastating effects on the canning industry in Ontario. You've tried to disguise this as an environmental tax, and in fact you've perpetrated a fraud on the people of this province that there's some great environmental benefit to taxing beer can workers.

Clearly the facts show that 88% of all beer cans are returned to the beer store, and of the remaining 12%, 50% of them come back through the blue box. So some 94% of beer cans are indeed returned, recycled and reused. Also, the facts would indicate that the gross weight going into the landfill in this province from bottle caps alone equals the weight of aluminum cans from beer cans that are not recycled going into that same landfill.

Premier, you can't kid us that it's an environmental issue. You've apparently stated that it's needed to increase revenues and yet you've cut your own Ministry of the Environment's budget by \$61 million.

The Speaker (Hon David Warner): Could the member place the question, please.

Mr Mahoney: My question is, Premier, what is the real reason that you're expanding the tax on beer cans? We know it's not environment. We know it's not revenue generating for economic purposes for the environment. What is the real reason and what is your answer to Pat Corcoran, the chairman of the United Food and Commercial Workers International Union—

The Speaker: Could the member complete his question.

Mr Mahoney: —to Steve McCullough, the vice-chairman of that same local, to Mark Loveys and Mike Danbrook, the president and vice-president respectively of the Steelworkers Local 7176 in Concord, and to Kathy Dumouchel, who chairs the Levy Action Committee at Ball Packaging—

The Speaker: I ask the member to please quickly conclude his question.

Mr Mahoney: —and to all the workers who are losing their jobs as a result of this tax on beer can workers? What's your answer to them?

Hon Bob Rae (Premier and Minister of Intergovernmental Affairs): I'm going to refer the question to the Treasurer, because he'll be meeting with these workers this afternoon.

Interjections.

The Speaker: Order.

Hon Floyd Laughren (Treasurer and Minister of Economics): I hope I won't need to take as long in the answer as the question was.

Interjections.

Hon Mr Laughren: I thought the members wanted an answer.

It is truly an environmental levy. It is not a tax. It is—

Mr Mahoney: Nonsense. That's nonsense, Floyd, and you know it.

The Speaker: Order.

Hon Mr Laughren: When the opposition don't like what they hear, they just try to shout us down and say, "It's all nonsense." Well, I'll try to answer the question if the opposition will allow me to do so.

The levy on beer cans is not a tax; it's an environmental levy. I should tell you, Mr Speaker—

Interjections.

The Speaker: Order.

Hon Mr Laughren: Mr Speaker, I don't know—

Interjections.

The Speaker: Would the minister take his seat.

Interjections.

The Speaker: Treasurer.

Hon Mr Laughren: For this government, the words "reduce, reuse and recycle" are not simply words. They are environmental priorities and they are a commitment by this government, and there's a reason for that.

I'm surprised to hear the member of the official opposition talk about an environmental levy as though he was opposed to it. I'm very surprised. I certainly understand why the former Minister of the Environment from the Liberal Party didn't ask the question. He would have been embarrassed to admit that he did not place reuse over recycling, because it's more energy conservationist than is recycling. It's as simple as that.

Mr Mahoney: I find this really a sad comment. Anyone who looks at the facts on this issue knows that there cannot be any justification for calling this an environmental tax. Anyone who looks at the facts knows, as I've already stated, that you generate more waste in the landfill sites from bottle caps, for goodness' sake—

Hon Mr Laughren: That's nonsense.

Mr Mahoney: That is true. That is not nonsense. The facts are there. Members of your own caucus who know their political careers are in jeopardy as a result of this action by this government have admitted that this is politically

motivated and not environmentally motivated. They've admitted it.

Interjections.

The Speaker: Will the member place his supplementary.

Mr Mahoney: They stood out in front of this building today and called on this government to rescind the tax, members of your own caucus. So who are you kidding, Treasurer? It's quite obvious the Premier doesn't know what to do, because he wimps out and passes—this is not an economic issue to you, the government.

The Speaker: Would the member place his supplementary.

Mr Mahoney: You can slash the environmental ministry, so it can't be economically tied to the environment. It's very clear.

Treasurer, since you've been handed this hot potato to try to deal with it, tell these people in the audience where they're going to work after you decimate their industry. Tell their kids who are with them today how—never mind food in the schools—

The Speaker: Would the member take his seat, please.

Mr Mahoney: Tell them how they're going to put food on their table. Will you rescind this tax—

The Speaker: Will the member please take his seat.

Mr Mahoney: Would you please put a moratorium on this tax—

The Speaker: I ask the member to take his seat. Treasurer.
1440

Hon Mr Laughren: Mr Speaker, grandstanding on this issue doesn't solve the problem. It's beyond my comprehension how the member opposite—

Mr Mahoney: We know that.

Hon Mr Laughren: Personal insults aren't going to help you solve the problem either. It's beyond my comprehension—

Mr Mahoney: What do we need to do to get through to you?

The Speaker: Order.

Hon Mr Laughren: You could let me answer the question you've asked, to start with. I don't know how the member opposite can expect me to take his question seriously, quite frankly, when he stands up and in one sentence says, "It's a politically motivated tax," and the next minute says, "It's going to cost your members their seats." What kind of political motivation would that be?

I don't understand why the member opposite is not able to come to grips with the fact that this is an environmental levy based on the three hierarchical principles of environmental conservation, reduce, reuse and recycle. That's why there's an environmental levy put on all non-refillable alcohol containers, not just beer cans.

The Speaker: New question.

Mr W. Donald Cousens (Markham): Mr Speaker, on the same issue: You've only got one R now—and this

question is for the Premier, because you haven't answered the question. You're only talking about reusing and have no considerations of the recycling benefit of aluminum cans.

But I ask the Premier, in the absence of the Minister of the Environment, on this very question, how we now have a 10-cent surcharge on every beer can that is sold, when they sell them in the province of Ontario, adding \$2.40 to a case of 24 beer.

What I really want to ask the Premier is the background thinking that went into the development of this environmental tax. The fact of the matter is, aluminum cans are environmentally equivalent to refillable glass bottles from the standpoint of air emissions, water effluents and energy usage. The only significant environmental difference is that aluminum cans generate significantly less solid waste than refillable glass bottles. What analysis has your Ministry of the Environment had to support the fact that it is saying refillable glass bottles are better for the environment than aluminum cans?

Hon Mr Rae: Again, Mr Speaker, I'll refer the question to the Treasurer.

Hon Mr Laughren: The previous member who asked a question referred to the proportion of return of cans versus bottles and he used the number 88%. In fact, there's a 98% return on bottles.

Second, after the environmental levy was imposed, as announced in the budget, we did sit down with virtually everybody concerned, and there has been a series of meetings since that time with both the representatives of the workers in the can factories and in aluminum, with Alcan, and as well, as I say, with the companies involved.

Indeed, this very afternoon there is a very substantial meeting with people from the industry, representatives of the workers, from the environmental group, from the brewery workers, in which we are going to discuss the matter further. So it's not as though we simply imposed the levy and then refused to talk to people. There have been a lot of negotiations go on on this matter and they are continuing.

The Speaker: Supplementary.

Mr Gary Carr (Oakville South): Obviously the Treasurer can't answer an environmental question, so I'll ask him a job question. I think he may want to check with his colleagues the member for Durham Centre and the member for Durham East, who stood on the steps not more than an hour ago and said that they disagreed with the policies of this government as well. You should speak to those two members.

But since you don't know what is happening environmentally with the reason for this tax, let me ask you a job question. At that rally I sat out there and saw two six-year-old twins who are going to be a position where their father is going to lose his job. Would you be able to tell us today, Mr Treasurer, how many jobs are going to be lost, and what do you say to those people who are going to lose their jobs because of you and your policies?

Hon Mr Laughren: First of all, no one knows what the job losses will be in this regard. No one knows.

Interjections.

The Speaker: Order. Treasurer.

Hon Mr Laughren: If the opposition will not shout me down yet again, I'll try to answer the question. I assume the member is talking about job loss in a specific plant as opposed to overall in the province of Ontario. I assume that's what he means and that he's not talking about net jobs in the economy; I can only make that assumption.

Second, of course, any job dislocation between one industry and another—for example, bottling versus cans—

Interjections.

Hon Mr Laughren: I'll try once again. Any job loss in that regard would depend on what is known as the elasticity of demand as it shifts from cans to bottles. So it's not as though anybody at this point—

Interjections.

The Speaker: Order. New question.

REFUGEES

Mr Peter Kormos (Welland-Thorold): I have a question to the Minister of Citizenship, prefaced very briefly. I want to tell you about Maria and her mother, Mirian, who fled Argentina two and half years ago after the 31-year-old mother was raped by the police when she was arrested for her political activities and after armed politicians broke into her home and abducted her daughter for three days. She sought refuge in Ontario.

Sergei from Ukraine fled Ukraine after persistent persecution by the KGB, arrests, detentions and the threat of prosecution under section 70, which would have resulted in a considerable period of admission.

These people, along with the people I spoke of earlier, José and Mirta Munoz and their children, fled to this country, to this province. Nobody wants to leave their homeland. Nobody wants to leave behind family, jobs, careers, automobiles and friends. These people came to this country, to this province, to seek refuge. They sought refuge in what they believed were the charitable arms of a generous country.

The Speaker (Hon David Warner): Does the member have a question?

Mr Kormos: Yes, sir. The federal government is telling these people that they can't stay, that they must go, notwithstanding that they work hard. All of them work at daily jobs. What will the Ministry of Citizenship do to ensure that these people can continue to be the good citizens of Ontario that they've become by choice?

Hon Elaine Ziemba (Minister of Citizenship): I welcome this opportunity to speak on this issue because it is a concern of every member of our House when we look at people who have come to this province to share with us in a province we all value so highly, a place where we all seek democracy; people who have suffered in their homelands. I must share with my colleague that one of the many frustrations I had when I came to this position was that the previous two governments unfortunately had not sat down with the federal government and had an agreement or an arrangement on immigration.

Mr Gregory S. Sorbara (York Centre): That is a lie. That's a bunch of lies. You are turning the main question into a political diatribe.

The Speaker: Order. The member for York Centre said something unparliamentary. I would ask him to withdraw the remark.

Mr Sorbara: The minister was saying that the previous two governments never negotiated with the federal government. I do not believe that to be true, but nevertheless I withdraw the allegation that she is lying.

Hon Ms Ziemba: The fact remains that we do not have an agreement with the federal government. We are in the process of negotiating an agreement with the federal government on immigration and refugee issues, one that I am proceeding with as quickly as we can. It has been part of the constitutional discussion as well. I want to assure not only my colleague but also the members who are sitting in the gallery today that I take this issue very seriously.

There are members from the Polish community in my own constituency who are also being sent back. I feel that is totally unfair, and I know every member in this House feels it's unfair when people who have been contributing to this province, who are raising their children here, who have children actually born in this province—we want to work together to make sure we can assure them the safe place that we all share in Ontario.

I know, Mr Speaker, you're asking me to wrap up this question. Perhaps we can ask a supplementary of the member.

1450

The Speaker: Supplementary?

Mr Kormos: You know, the indignity of being told you have to pay \$25 a month for a work visa because you want to work is profound and so symbolic of what's happening to these people. José Munoz and his wife, Mirta Munoz, came here with their two young children from Argentina, but their two youngest children are Canadian citizens; they were born in this country, they were born in this province. I tell you, they are Ontarians, yet they are being sent back on the same plane on August 7 by the federal Minister of Employment and Immigration.

I plead with the minister to tell us that she will help me intervene, that she will help me approach the federal minister directly to ask him to defer the deportation date so these people have an opportunity to seek redress for what has been a long series of injustices done to them through the incompetence of people like Al Brown, a member of the tribunal that—

The Speaker: Would the member conclude his question, please.

Mr Kormos: Would she please help me intervene to make sure that the deportation date is deferred so we can perhaps save some people's lives?

Hon Ms Ziemba: Again, I want to assure every member of this House that we take very seriously the questions you have raised. As a government we are working towards having an agreement with the federal government so we can address these issues and certainly move on—and I have to say, Mr Speaker, that when I look across the floor

and people are shouting out when there are concerns being raised in the House; people have serious concerns and they are suffering under—

Interjections.

The Speaker: Order. Will the minister take her seat.

Interjections.

The Speaker: I seek the support of the House so that we can have an orderly question period. I understand all of the circumstances under which the members are working, yet at the same time if members bring questions to the floor of the House they deserve to have those questions addressed and they deserve to be able to hear a response. I ask for the cooperation of all members so we can have that happen.

Had the minister completed her response?

Hon Ms Ziemba: I will conclude by saying that I know we will all work together to try to resolve these issues that are of grave importance.

MINISTRY TRAINING SCHOOL

Mr Ian G. Scott (St George-St David): I return to the Minister of Correctional Services. The backdrop about this question that has already been raised with generality before is, of course, the investigation in the United States that has occurred as a result of the forced resignation of the Secretary of the Navy, who was held responsible for the administration of his department when an allegation of sexual misconduct at one of the naval academies was not brought to his attention.

The minister has told us today that the first time he heard about this incident was yesterday. I accept the minister's word on that but I know, having been a minister, that ministers sometimes are blindsided by their staff. I know, having been a minister, that the first thing this minister would have done if he was doing his duty, as I'm sure he was, was to go back to his ministry, call in the deputy minister and the senior officials and say, "When did any of you first hear of this incident?" If he didn't get an answer to that question he would have fired them all. But he would have gotten an answer to that question—it may be right, it may be wrong; I don't know—the question public administration requires us to ask, because there can be no allegation of coverup if the minister answers the question: "What were you told? When did these people admit they first heard about this incident?" Minister, you've got to answer that question here in the House or in the scrum, because it goes to the integrity of the administration of your department. When did your senior staff first hear about this incident?

Hon Allan Pilkey (Minister of Correctional Services): First of all, I want to say that I find unfortunate the analogy the member opposite first draws to some circumstance that occurred in the United States Navy or in some such other military installation with respect to the administration of the Ministry of Correctional Services on the ministry level.

Notwithstanding that, as I'd indicated, and I think quite succinctly and quite clearly earlier, this matter had not been brought to my attention, but the important thing from

my perspective was that the main issue was that this matter get dealt with promptly and effectively, that it be actioned, and it was.

In terms of detail and in terms of dates, times, places, who talked to whom, who corresponded with whom, I don't have a particular interest in trying to give that out in dribs and drabs. I have indicated that I am seeking a full report, as is the Premier, from the secretary of cabinet. We will have that information shortly and then I think we can respond in a particularly responsible manner.

Mr Scott: I don't accept that and I don't think the public does. I respect the minister as an honourable man. I know, having been a minister, that the first thing he would do if this information came to his attention only yesterday, as he said it did, is to go back and ask, especially as his staff interviewed in the press said, "Senior officials knew about it some time ago," and he wouldn't deny to us or the press that he went back and said, "When did you people first hear about this and why didn't you tell me?" Any minister in Canada would have done that or be judged incompetent.

What I want to get from you is what they told you when you asked them, "When did you first hear about this in the department?" If you can't answer the question, as I know you can, don't you understand you're implicated in the failure to answer it? When did they tell you they first heard about this?

Hon Mr Pilkey: First of all, I acknowledge the wonderful ability of the member opposite to characterize and to phrase questions to his own purpose. I think, however, as I've indicated, it is quite important that the factual account of this be put in a proper chronology and that it be available in a complete way.

The Speaker (Hon David Warner): The member for Leeds-Grenville with his question.

Mr Robert W. Runciman (Leeds-Grenville): It's pretty difficult to swallow that response, especially when the minister says that he has acted very quickly in this matter. I was told yesterday and raised it in the House in respect of the fact that this incident occurred some time ago and was in fact kept under wraps within his ministry by officials within his ministry. There was a gang rape, apparently, in one of the provincial institutions that he's responsible for, and he asked for a report.

I believe, as I suspect the public at large believes, this is an outrageous situation. We demand a much more forthcoming response from the minister, an explanation in respect to whom he's dealt with, what happened within the ministry, within the upper reaches of the bureaucracy. I asked him earlier; I'll ask him again: Was his deputy minister or an assistant deputy minister within the ministry aware of this matter?

Hon Mr Pilkey: I can't respond to allegations. I think that is exactly the reason I have called for a police investigation into the matter and I think that situation should rest there until we do get a report from the police authorities.

Beyond that, I have indicated that a very detailed and factual chronology of events will be provided to me and further determinations can be made at that time, but until

that time, the immediate actions of the police investigation are being undertaken. I think that's what's critical and important, the welfare of people, and of female employees in particular, who may have come to some difficulty or harm, or those who may be placed in that situation in the future. That's the primary focus; that's the primary issue. The question of who did what or who didn't do what in terms of the chronology of events is secondary, but that will be ascertained and it will be known.

1500

Mr Runciman: Again, it's difficult to understand the minister responding in the way in which he is today. He made a statement earlier when he talked about two initiatives he's committed himself to: One is the police investigation and the other is assuring the privacy of the individuals touched by the allegations.

Apparently, by his responses today and by his failure to mention in his statement today mention the importance of the reasons behind the fact that this matter was not dealt with in an expeditious manner by ministry staff—why was this matter not referred to the Hamilton police when these allegations first arose? Why did members of his ministry staff simply not refer these allegations to the police in Hamilton? That wasn't done either.

These are very serious concerns which the minister does not respond to in his statement, and he is hiding again this afternoon. He simply refuses. I ask him again: Was his deputy minister aware of this? Was the assistant deputy minister aware of this?

Hon Mr Pilkey: The police investigation will reveal any matters that were criminal in nature and a subsequent report will acknowledge any administrative matters.

Interjections.

The Speaker: Order. The time for oral questions has expired.

Mr Will Ferguson (Kitchener): On a point of order, Mr Speaker: When you stood up, after the minister had finished speaking, there were still eight seconds left on the clock. The member for St Catharines-Brock has a question she would like to pose today. I would like to suggest to you, Mr Speaker, that you interrupted as a result of the catcalls from the opposition and that she at least be allowed to put her question.

The Speaker: The member for Kitchener may have noticed that at the moment when I rose, it was to try to restore order in the chamber. Whenever that occurs, the clock continues to run. It's unfortunate. The only way you can proceed with a question beyond here would be if you sought the unanimous consent of the House.

Mr Ferguson: I move that we seek unanimous consent.

The Speaker: Is there unanimous consent for the member for St Catharines-Brock to ask a question?

Interjections: No.

PETITIONS

GAMBLING

Mr Ted Arnott (Wellington): I have a petition signed by approximately 200 people in Ontario and it reads as follows:

"Whereas the NDP government is considering legalizing casinos and video lottery terminals in the province of Ontario; and

"Whereas there is great public concern about the negative impact that will result from the abovementioned implementations,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government stop looking to casinos and video lottery terminals as a 'quick-fix' solution to its fiscal problems and concentrate instead on eliminating wasteful government spending."

I have affixed my signature.

EDUCATION FINANCING

Ms Dianne Poole (Eglinton): I have a petition signed by a number of residents throughout Metro Toronto:

"To the Legislative Assembly of Ontario:

"Whereas the British North America Act of 1867 recognizes the right of Catholic students to a Catholic education, and in keeping with this the province of Ontario supports two education systems from kindergarten to grade 12/OAC; and

"Whereas the Metropolitan Separate School Board educates more than 104,000 students across Metropolitan Toronto; and

"Whereas these students represent 30% of the total number of students in this area, yet have access to just 20% of the total residential assessment and 9.5% of the pooled corporate assessment; and

"Whereas the Metropolitan Separate School Board is able to spend \$1,678 less on each of its elementary school students, and \$2,502 less on each of its secondary school students than our public school counterpart;

"We, the undersigned, petition the Legislative Assembly of Ontario to act now and restructure the way in which municipal and provincial tax dollars are apportioned so that Ontario's two principal educational tax systems are funded not only fully but with equity and equality."

I have signed this petition.

LANDFILL

Mr David Tilson (Dufferin-Peel): I have a petition with 336 names from my riding of Dufferin-Peel. It's addressed to the Legislative Assembly of Ontario:

"Whereas the Interim Waste Authority has released a list of 21 proposed sites in the region of Peel as possible candidates for landfill, 15 of which are located in the town of Caledon; and

"Whereas the decision to prohibit the regions of the greater Toronto area from searching for landfill sites beyond their boundaries is contrary to the intent of the Environmental Assessment Act, subsection 5(3); and

"Whereas the government has promised each person in Ontario the right to a full environmental assessment, in-

cluding the right to a review of all options as it pertains to waste disposal in Ontario;

"We, the undersigned, protest and petition the Legislative Assembly of Ontario as follows:

"That the Legislature of Ontario repeal Bill 143 in its entirety, and allow a more democratic process for the consideration of future options for the disposal of greater Toronto area waste, particularly the consideration of disposal sites beyond the boundaries of the greater Toronto area, where a 'willing host' community exists that is interested in developing a new disposal system for greater Toronto area waste."

I have affixed my signature to this petition.

ENVIRONMENTAL TAX

Mr Gordon Mills (Durham East): I have a petition from 150 people who live in the riding of Durham East. Their petition to the Legislative Assembly of Ontario says that they're not in favour of the environmental levy tax put on beer cans. Furthermore, they're against any levy that may be placed on soda cans. "These cans are 100% recyclable and are currently being recycled at a high rate. To impose this and any further tax on the canning industry will cripple the canning industry and send jobs south of the border."

Mrs Joan M. Fawcett (Northumberland): I have a petition signed by 1,330 people. This includes management and workers of the various unions of the Ontario canning industry.

"To the Legislative Assembly of Ontario:

"We are not in favour of the environmental levy tax put on beer cans. Furthermore, we are against any levy to be placed on soda cans. These cans are 100% recyclable and are currently being recycled at a high rate. To impose this and any further tax on the canning industry will cripple the canning industry and send jobs south of the border."

I will affix my signature on this. I support it wholeheartedly.

LANDFILL

Mr W. Donald Cousens (Markham): I have another 2,000 signatures from the town of Markham with regard to the proposed landfill sites this government is trying to put in in 57 different locations around York region, Durham and Peel.

"To the Lieutenant Governor in Council:

"We, the undersigned, hereby call on the government of Ontario to discontinue the consideration of locating waste disposal sites in Markham M6, the 11th concession south of Locust Hill, and waste disposal site Markham M3, located north of 16th Avenue between McCowan and Kennedy, and in all other areas that are located in the immediate vicinity of environmentally sensitive areas of York Region."

I affix my name to this. It represents a cross-section of people from my community.

1510

Mr Larry O'Connor (Durham-York): I have a petition to the Legislative Assembly:

"Whereas the town of Whitchurch-Stouffville has traditionally been a mixture of agricultural and residential land and both areas would be drastically affected by a megadump; and

"Whereas the Interim Waste Authority has identified sites in the town that would consume large tracts of class 1 and 2 farm land, the areas identified by the Interim Waste Authority would severely disrupt the vibrant agricultural communities. The farm families in those areas have always continued to invest large sums of money in their farms. These communities would be destroyed by the Interim Waste Authority putting in a megadump; and

Whereas most of the people of Whitchurch-Stouffville depend on groundwater for their drinking water, the dump would threaten their supply of clean water; and

"Whereas the effects of a megadump would destroy the local economies of these communities;

"Therefore, we, the undersigned, petition the Legislative Assembly as follows:

"We oppose the Interim Waste Authority's proposal to take prime farm land in the heart of the town to turn it into Metro and York's megadump.

"We further petition the Legislative Assembly to renew their efforts to seek and entertain alternatives to landfill and implement aggressive reduction, reuse and recycling programs."

This petition is quite similar to the ones I presented from East Gwillimbury and Georgina, and I affix my name.

MUNICIPAL BOUNDARIES

Mr Ron Eddy (Brant-Haldimand): I have a petition signed by 29 residents of Middlesex county.

"To the Legislature of Ontario:

"Whereas the report of Mr John Brant, arbitrator for the greater London area, has recommended a massive, unwarranted and unprecedented annexation by the city of London;

"Whereas the arbitration process was a patently undemocratic process resulting in recommendations which blatantly disregarded the public input expressed during the public hearings;

"Whereas the implementation of the arbitrator's report will lead to a destruction of the way of life enjoyed by the current residents of the county of Middlesex and will result in the remnant portions of Middlesex potentially not being economically viable,

"We, the undersigned, petition the Legislature of Ontario as follows:

"That the Legislature of Ontario reject the arbitrator's report for the greater London area in its entirety, condemn the arbitration process to resolve municipal boundary issues as being patently an undemocratic process and reject the recommendation of a massive annexation of land by the city of London."

I have affixed my signature.

DRIVERS' LICENCES

Mr David Tilson (Dufferin-Peel): I have a petition from my riding of Dufferin-Peel and it's addressed:

"To the Legislative Assembly of Ontario;

"Whereas the recent death and injury of five youths within the riding of Dufferin-Peel has deeply disturbed the residents; and

"Whereas these deaths might have been prevented if legislation concerning graduated licensing had been in place; and

"Whereas we would like to prevent further death and injuries to our new drivers and young people;

"We would like to petition the Legislative Assembly of Ontario to bring forward legislation to introduce graduated licences within the province of Ontario."

I have affixed my signature to that petition.

ENVIRONMENTAL TAX

Mr Drummond White (Durham Centre): I have a petition signed by many residents in my constituency, people like Seth Caskey, Tom Bowden and Steve Smith. They say they are not in favour of the environmental levy tax put on beer cans. Furthermore, they are against any levy to be put on soda cans. "These cans are 100% recyclable and are currently recycled at a very high rate. To impose this and any further tax on the canning industry will cripple the canning industry and send jobs south of the border."

PROPERTY ASSESSMENT

Ms Dianne Poole (Eglinton): I have a petition with a number of signatures, over 100, signed by people who were at Maurice Cody Community Centre for an anti-market value rally. It says:

"To the Legislative Assembly of Ontario:

"Whereas it is arbitrary and demonstrably unfair to use market value as a basis for property tax assessment in a volatile market such as Metropolitan Toronto; and

"Whereas market value assessment bears no relation to the level of services provided by the municipality; and

"Whereas the implementation of such a measure would work undue hardship on the residents of North Toronto, on our long-term home owners, our senior citizens and our tenants;

"Whereas Toronto businesses are already paying the highest property taxes in North America and will be devastated by increases of up to 50% more;

"We, the undersigned, petition the Legislative Assembly of Ontario not to impose market value reassessment on the city of Toronto against the wishes of the people of Toronto, and to consider another method of property tax reform for Metro Toronto."

I wholeheartedly agree with this and will affix my signature.

MUNICIPAL BOUNDARIES

Mrs Irene Mathysen (Middlesex): I have a petition signed by 61 residents of the county of Middlesex. These residents include people from Glencoe, Kerwood, Strathroy, Parkhill, disparate parts of the county, and they respectfully request that the Legislature set aside the report of the arbitrator, Mr John Brandt, as it relates to the greater London area.

Further, Mr Speaker, by virtue of the fact that this petition was sponsored and circulated by the townships of the

county of Middlesex, I would hope that those townships in that county would be just as concerned as we about the environment in Middlesex and the protection of agricultural land.

I have affixed my name to this petition.

The Deputy Speaker (Mr Gilles E. Morin): I just want to warn the members that petitions are not a period where you make statements. It's to read a petition.

EDUCATION FINANCING

Mrs Elinor Caplan (Oriole): I've been asked to place this petition by the Ontario English Catholic Teachers' Association. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the British North America Act of 1867 recognizes the right of Catholic students to a Catholic education, and in keeping with this the province of Ontario supports two educational systems from kindergarten to grade 12/OAC; and

"Whereas the Metropolitan Separate School Board educates more than 104,000 students across Metropolitan Toronto, and whereas these students represent 30% of the total number of students in this area, yet have access to just 20% of the total residential assessment and 9.5% of the pooled corporate assessment; and

"Whereas the Metropolitan Separate School Board is able to spend \$1,678 less on each of its elementary school students and \$2,502 less on each of its secondary school students than our public school counterpart;

"We, the undersigned, petition the Legislative Assembly of Ontario to act now and restructure the way in which municipal and provincial tax dollars are apportioned, so that Ontario's two principal education systems are funded not only fully, but with equity and equality."

I enter this petition on behalf of the Ontario English Catholic Teachers' Association.

STANDING ORDERS REFORM

Mr Remo Mancini (Essex South): I have a petition.

"To the Legislative Assembly of Ontario:

"Whereas Premier Rae of the province of Ontario has forced upon the Ontario Legislature a change in the rules governing the procedures to be followed in the House; and

"Whereas Premier Rae has removed from members of the opposition the ability to properly debate and discuss legislation and policy in the Legislature by limiting the length of time a member may speak to only 30 minutes; and

"Whereas Premier Rae, who once defended the democratic rights of the opposition and utilized the former rules to full advantage in his former capacity as leader of the official opposition, has now empowered his ministers to determine unilaterally the amount of time to be allocated to debate bills they initiate; and

"Whereas Premier Rae has reduced the number of days that the Legislative Assembly will be in session, thereby ensuring fewer question periods and less access for the news media to provincial cabinet ministers; and

"Whereas Premier Rae has diminished the role of the neutral, elected Speaker by removing from that person the power to determine the question of whether a debate has been sufficient on any matter before the House; and

"Whereas Premier Rae has concentrated power in the Office of the Premier and severely diminished the role of elected members of the Legislative Assembly, who are accountable to the people who elect them,

"We, the undersigned, call upon Premier Rae to withdraw the rules changes imposed upon the Legislature by his majority government and restore the rules of procedure in effect previous to June 22, 1992."

I affix my own name to this petition.

Mrs Elinor Caplan (Oriole): I have a petition.

"To the Legislative Assembly of Ontario:

"Whereas Premier Rae of the province of Ontario has forced upon the Ontario Legislature a change in the rules governing the procedures to be followed in the House; and

"Whereas Premier Rae has removed from members of the opposition the ability to properly debate and discuss legislation and policy in the Legislature by limiting the length of time a member may speak to only 30 minutes; and

"Whereas Premier Rae, who once defended the democratic rights of the opposition and utilized the former rules to full advantage in his former capacity as leader of the official opposition, has now empowered his ministers to determine unilaterally the amount of time to be allocated to debate bills they initiate; and

"Whereas Premier Rae has reduced the number of days that the Legislative Assembly will be in session, thereby ensuring fewer question periods and less access for the news media to provincial cabinet ministers; and

"Whereas Premier Rae has diminished the role of the neutral, elected Speaker by removing from that person the power to determine the question of whether a debate has been sufficient on any matter before the House; and

"Whereas Premier Rae has concentrated power in the Office of the Premier and severely diminished the role of elected members of the Legislative Assembly, who are accountable to the people who elect them,

"We, the undersigned, call upon Premier Rae to withdraw the rules changes imposed upon the Legislature by his majority government and restore the rules of procedure in effect previous to June 22, 1992."

I affix my signature to this petition.

1520

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Mr Cousens, on behalf of Mr Runciman, from the standing committee on government agencies presented the committee's ninth report.

The Deputy Speaker (Mr Gilles E. Morin): Pursuant to standing order 104(g)(11), the report is deemed to be adopted by the House.

ORDERS OF THE DAY

LABOUR RELATIONS AND EMPLOYMENT
STATUTE LAW AMENDMENT ACT, 1992LOI DE 1992 MODIFIANT DES LOIS
EN CE QUI A TRAIT AUX RELATIONS DE TRAVAIL
ET À L'EMPLOI

Resuming the adjourned debate on the motion for second reading of Bill 40, An Act to amend certain Acts concerning Collective Bargaining and Employment / Loi modifiant certaines lois en ce qui a trait à la négociation collective et à l'emploi.

The Deputy Speaker (Mr Gilles E. Morin): I believe that yesterday Mr Kwinter had finished the debate and we were at the questions and comments period. Mr Kwinter is not here. Therefore, are there any other members who wish to participate in this debate?

Mr Ted Arnott (Wellington): Mr Speaker, before I commence my remarks I would like to request unanimous consent that for the duration of this debate we leave aside questions, comments and replies from speakers.

The Deputy Speaker: Agreed? Agreed.

Mr Arnott: Thank you, Mr Speaker. I'm very pleased to rise today on behalf of the people of Wellington and as our party's small business advocate to speak to Bill 40, An Act to amend certain Acts concerning Collective Bargaining and Employment. I think the title of the bill should be An Act to expand Union Membership and give Unions the Power to take over Companies.

Bill 40, as we know, has caused a great deal of controversy in this province and among many groups and individuals. I hope to be able to bring forward some of the views the people of my riding have expressed to me over the course of the 30 minutes I have to make my presentation.

I will begin from the outset by expressing a considerable degree of frustration at having only 30 minutes to express the concerns of my constituents because, as we know, Bill 40 contains 32 separate amendments. It's a very lengthy omnibus bill, approximately 45 pages in length, with many significant changes. It's going to be very difficult to have the time to get into the specifics of my concerns. I'm afraid I'm going to restrict my comments to my general concerns about this bill because of the fact I don't have very much time.

I'd initially present the fact that the Progressive Conservative caucus is totally opposed to Bill 40, to these amendments to the Labour Relations Act and related amendments, because we believe that it is going to cause many job losses in Ontario. Many thousands of jobs will be lost as a result of this bill. We have made our position very clear, that we would scrap these amendments should we come to power in two to three years' time.

I'd like to give a couple of comments as to where I'm coming from with respect to this bill. My family's been in the heavy construction business for about 63 years. I grew up in that sort of family, a small family business. While I was going to university I financed my own way through university. I spent one summer at the Scarborough General Motors van plant. I was a card-carrying member of the

United Auto Workers for that period of time and paid dues to that union.

I would like to get immediately into some letters. I don't normally do this in debates—read letters from constituents into the record—but in this instance I'm going to because I think their comments with respect to this debate are very compelling.

I will start off by reading a letter I have received from Graham Fiber Glass Ltd, from Robert B. Weeks, the president. He's written my colleague the member for Waterloo North, who's our party's Labour critic, and also sent a petition signed by 26 employees of this company. It's not just the employer who's concerned about Bill 40; the employees are concerned about their jobs. I will read the following submission from Mr Weeks:

"We support and admire your personal efforts in opposing the government's unneeded and very unwise proposals to amend the OLRA. The minister's proposals are creating a negative climate for new investment in manufacturing and driving away employers whose success is sensitive to cooperative labour relations. Jobs have been lost because of the added uncertainty over the future balance of forces in organized labour relations."

Another letter, which I received from Mr Jim Fettes of Lloyd Stewart Lumber Ltd in Mount Forest, is addressed to the Minister of Labour:

"Our company, along with the other 150 Homecare members across Ontario, comes under the heading of 'small business.' Individually, we do not contribute vast sums to the economy of Ontario, but collectively the small business companies in this province do provide a large percentage of the jobs, and the sales and services, that keep the economy of Ontario running. The proposed changes to the Ontario Labour Relations Act could significantly shift the balance of power between employers such as ourselves and organized labour. In these difficult times, the long-term effects on the economy of such proposals becoming law would be profound and devastating."

Another letter, from Husky Farm Equipment Ltd in Alma, is signed by Raymond Grose, the president:

"I have taken notice to some of your government's proposals for Ontario's Labour Relations Act." This is addressed to the Minister of Labour.

"If these proposals are enacted it could be disastrous to our province. If you frighten all the businesses away or squeeze the profit margin so that it is not worthwhile being in business, then many businesses will close or move out. Who then will provide work for all the people? How will the people have money to buy the goods produced by labour? It seems that you are going at things backwards."

"The only way to keep the entrepreneurial spirit going is to keep business healthy. The business then will look after the labour people."

"It simply won't work by having labour trying to run the business that they don't own or have no investment in."

"Business people in Ontario are not going to improve by holding a whip over them. They will simply disappear; nothing you can do will stop them."

Another letter, from Noecker Travel Ltd in Elora, signed by Janette Noecker, in part says:

"We believe in the rights of our employees and are fully aware it is in our interest to deal with our employees in a fair way. We are mainly small business entrepreneurs—always at high risk—and it appears that government has forgotten our legitimate rights.

"Please provide a signal to us that government is listening to our voice. You can do so by toning down or scrapping the proposed reform. The proposed changes as they impact on our industry are unnecessary at this time and will do much harm if passed."

From Mundell Lumber Co Ltd of Erin, a letter signed by William Mundell and James Mundell and addressed to me:

"Dear Sir:

"We strongly object to the proposed changes to the Ontario labour laws for the following reasons. They would:

"1. Seriously upset the balance between management and staff;

"2. Frighten away business investment;

"3. Make Ontario less competitive;

"4. Make the manager's and supervisor's job more difficult."

They go on to say, "We feel that many of the above changes are very, very unfair and suggest that all or most of them be changed."

Another letter, from Deborah Shortill of Hannah's Closet in Erin, reads as follows:

"Dear Mr Arnott:

"If ever there was a time for sensible people to stand up and be counted, it is now. The labour laws that Bob Rae's NDP government are determined to pass into law will give unions the power to completely control and ultimately crush free enterprise. Where is freedom when even owning your own business does not give a person control of their business and their lives? This NDP government seems to be concerned only with protecting the rights, freedoms and livelihoods of those who do not pay the bills. Where do they expect the money to come from once they've put us all out of business?

"Please, Mr Arnott, fight against this NDP government.... Help restore sound government and business practices in Ontario. Help honest, hard-working people, not unions. We won't be able to shoulder their heavy debt load for ever."

A letter from McKinnell Farm Equipment Ltd, from Ross McKinnell, addressed to me, says:

"Unless Premier Rae takes a different stance towards business, then I feel our province is in deep trouble. Small business is important to the economy of our province."

I would urge the Minister of Industry, Trade and Technology to listen to what I'm saying.

"I would urge that you and your colleagues in the opposition take a strong stand against any further changes to the Labour Relations Act."

1530

From Speare Seeds in Harriston, Ontario, comes a lengthy letter to the Minister of Labour talking about the effect that these proposals will have on agriculture, which is a very important component of the economy in Wellington.

He starts off with a number of preliminary comments and he talks about the unique aspects of the agrifood sector:

"The agricultural industry is faced with conditions which make it very unique in nature. Significant seasonal demands are placed on agribusiness products and services and, in many cases, products handled and/or manufactured by the industry are perishable in nature. Agricultural producers have come to rely on the agribusiness sector for consistent quality and service, whether it be providing feed for livestock or receiving and drying grains or oilseeds."

He continues on: "Use of replacement workers: Because of the seasonal demands placed on the agrifood system and the reliance on the agribusiness sector for products and services, the proposal which restricts the use of replacement workers is of critical concern to our industry. Because of the seasonal nature of the grain elevator industry, a labour dispute during harvest could result in significant loss of revenue through the inability to provide essential services to the producer sector, simply because replacement workers could not be utilized to perform necessary operations."

The farm economy in Wellington and across the province does not adhere to the industrial model of labour relations that the government continues to put forward. There simply has to be a full exemption—and I'm glad the Minister of Agriculture and Food is here—from the Labour Relations Act for our farm community.

W. C. Wood Co Ltd, not in my riding but in the riding of Guelph, is an outstanding company that manufactures refrigerators and a number of other home appliances. It's a family company with hundreds of employees that has no union. They've gotten along just fine without one. John Wood has written the Minister of Labour, and I'll quote from his letter:

"It should be mandatory that employees have a right to a secret ballot vote on any decision to strike with the wording on the ballot being, 'Having received a full outline in writing of the current negotiations including details on the latest company offer, do you wish at this time to strike: yes/no?' Too often we see situations where employees have provided their union with the authority to call a strike if necessary, believing that no such strike will ever be called. This is unfair to the employees," unfair to the individual rights of the workers.

He continues: "We must recognize that no one wins during a strike." I would add to that that perhaps the union leaders win in a strike, but that's not Mr Wood's comment. "The strike usually proves costly to all concerned, the company, the union, the suppliers, the customers and, most importantly, the employees of both the company being struck and the suppliers and customers of the company being struck. The objectives should be as much as possible to reduce the number of strikes and, where strikes occur, the duration of the strike. To shorten the process, I believe employees should be entitled to receive updates weekly from both their union and their employer of the status of negotiations once a strike has started. Preferably the release should be a joint release. However, if this is not possible, separate releases should be obligatory."

Sensible suggestions from one of the prominent business people in my area. Another letter from W. C. Wood. As I said, there's no union there. Instead, they have a labour committee that works very well with management. This is a letter addressed to the minister from the labour committee. This is the employees of that big manufacturing company in Guelph expressing grave concern about Bill 40. It concludes with the following:

"We, the labour committee of W. C. Wood Co Ltd, strongly believe that individual rights to free speech and freedom of choice should not be diminished or transferred to organizations, be they businesses, governments, unions or other labour organizations," once again a concern that individual rights are being totally taken away because of Bill 40 in favour of these collective rights the government is claiming will be more advantageous to everybody, which we completely disagree with.

I have another letter here, from Norm Mainland, personnel manager of Monroe Auto Equipment Co of Canada, a big plant in Owen Sound, outside of my riding again, but they've sent this information to me and I'm going to voice it. They're a big plant with no union and with an excellent record of labour-management cooperation and harmony in that plant without the benefit of a union. Mr Mainland writes:

"We, as many other companies in our city, industry and province, are foreign-owned. What our owners are seeing in the last couple of years is a situation where the provincial government appears to have a distinct anti-business bias and a highly interventionist labour agenda. Various studies in the last few months have identified some consequences due to these perceptions which should be terrifying for the government; they certainly are for me as an individual employee. These studies have shown the potential loss to Ontario of hundreds of thousands of jobs and tens of billions of dollars in lost investment opportunity. Whether or not one believes the specific numbers presented by these studies, the fact that it was deemed the studies were needed means there is a problem. Ontario is perceived, by Canadian as well as foreign business, as presenting a climate unfriendly to business. It does not matter whether that perception is factual; business people will take action based on their perceptions. What's real to them is real to them. Revolution rather than evolution scares away the decision-makers."

That's an outstanding comment. The minister and the government are refusing to admit it's true.

From Barry Cullen Chevrolet Oldsmobile Ltd, a car dealership in Guelph, writing to me:

"The labour movement is already very well served by our present Labour Relations Act. Why not be fair and keep the pendulum in the centre rather than swinging it far to one side. Six months ago we had 81 employees. Today we have 70 and contemplating further layoffs. We are not going to get these people back to work by giving prospective investors one more reason not to invest in Ontario."

I know I've gone through about 15 minutes of my time on those letters but I feel those comments are very, very important. The government would be very wise to listen to them. For the government to continue to maintain that

when we speak in opposition to Bill 40 we're fearmongering and scaring away investment—that is absolutely not true. The two ministers over there know it full well. We're voicing our concerns. It is the actions of this government that are driving away investment, as we all know.

From the local government in the riding of Wellington, a resolution passed by county council on March 26, endorsed by county council, calling these proposals as follows:

"(1) The proposals will not enhance labour peace.

"(2) Many of the proposals infringe employees' freedom of choice, civil liberties and normal democratic principles.

"(3) The proposals do not improve the ability of the parties to respond to change and competition.

"(4) The proposals fail to enhance workplace harmony by improving the parties' ability to resolve issues internally. Instead the proposals are likely to increase government or third-party intervention into the employment relationship.

"(5) A number of the proposals are likely to increase the size and cost of government."

Not only county council expressing its concern to me, but also 10 municipalities in my riding expressing concern: town of Fergus, town of Mount Forest, village of Arthur, village of Erin, township of Arthur, township of Pilkington, township of Maryborough, township of Peel, township of West Luther, township of Guelph—all of these municipalities and their municipal councils passing resolutions opposed to Bill 40.

Over the course of the break, actually starting in November, I personally walked around to many of the small businesses in my riding, as many as I could get to. Whenever I had the opportunity I took these days from November to March, and I visited literally hundreds of small business people in my riding. I conducted a survey of their concerns. One of the questions I asked was whether they were in favour of amendments to the Labour Relations Act such as the government was proposing.

I received 161 responses, which I've already raised in the House, but I feel it's worth repeating: 98% of those responses indicated opposition to amendments to the Labour Relations Act as the government has presented them. Without a doubt the vast majority of people in my riding of Wellington are totally opposed to Bill 40.

We look across the province and see a poll that was released within the past week or so, Environics: 66% of the respondents believing that these proposals will cost jobs; 78% asking that more study be done, saying that more study is required before this government goes ahead with these proposals—a very clear indication of public opinion in this province on this bill.

The government has been presented with the question many, many times: Why are we going ahead with these amendments to Bill 40? The government response has been consistent. The government has continued to say that there is a changing economy, there is a changing workplace, we have to update the act and there is a need for greater cooperation in labour-management relations, greater harmony in the workplace. I agree that there is need for greater harmony and greater cooperation in our

workplace. I don't think anyone in this House disputes that. We all know that in order to be competitive in the world economy, increasingly we're going to have to be more cooperative in every way in our society.

1540

I agree that the economy in Ontario has changed significantly in the last five years and that there is some requirement for new approaches in this place and in our government and so on, but we must question whether Bill 40 is the answer to foster this greater cooperation.

We have seen a response from many sectors in this province to Bill 40 that would indicate that it is very unlikely that this is going to create any more cooperation in any place in Ontario. I can't see how the government can continue to put forward that view with any credibility. It has still not established why it is going ahead with these proposals.

I was at a labour law forum in Halton Hills, I guess a week and a half ago, and the member for Brantford was there speaking on behalf of the government. There was a representative from the Ontario Federation of Labour and a representative from the CFIB, the Canadian Federation of Independent Business. We went through a number of different questions. We each had a chance for opening comments; we had questions. One of the last questions, asked by a person who took the time to come to this forum the day before Canada Day, on a long weekend, was, "Why are you going ahead with these amendments?"

The government still has not established why. So what are we to conclude except that the real reason is to empower union bosses in a payback for all the years of support the unions have given the NDP and, before that, the CCF? We can draw no other conclusion, and that's the conclusion we've drawn.

On the other side, who is in support of these amendments? We see, of course, that the NDP caucus is supportive of these amendments. I'm not surprised. The unions are supportive of these amendments. I've received a couple of letters asking me to support these amendments, not from constituents, but actually from people from Guelph. Guelph and District Labour Council was urging me to support these amendments. The union leadership in my area was asking me to support these amendments. I did not receive mail from any worker, that I can recall, indicating that they felt they required these amendments and urging me to do so. I do not recall any letter to that effect.

We must ask, what will be the impact of Bill 40 on our economy? Ernst and Young, one of the most respected accountancy firms in Ontario, a firm the government has employed for various studies, has done an extensive study on Bill 40 and has concluded there is a potential for significant job loss if Bill 40 is enacted into law. They are talking about 295,000 jobs that may be lost if this goes through. They are also talking about \$9 billion of private investment—every dollar, probably, creating jobs in this province—that will be forgone as a result of this bill.

We have consistently requested that the minister present us with his own impact study of this bill, because we assume he is not so foolish as to not have; we assume he has done one and that he has that information. His reluc-

tance to disclose that information leads us to believe that it confirms this result. We have grave concerns that thousands and thousands of jobs will be lost as a result of this bill.

When the minister refuses to divulge any factual information of any impact study, what are we to conclude except to go on the information we have, which is an independent study that has been done? I know he's put forward the view that there are a lot of assumptions that are required and that the economic model is difficult to do, but we have to go with the best information we can obtain if we're going to make a sound, reasonable judgement on this issue. This is the only evidence we have. It's objective evidence and it causes great concern in Ontario.

The number one issue today in Ontario is that of jobs and the concern about the job losses we have had over the past number of months as a result of the recession. Every government initiative that is coming forward has to have applied to it a litmus test: Will this initiative cost jobs or will it help in the creation of new jobs? That's my view, and in this circumstance I think this litmus test that we must apply to Bill 40 shows that Bill 40 will cost a lot of jobs, without question. I would say it's no exaggeration to say that literally thousands of jobs will be lost as a result of the passage of Bill 40.

I'm our party's Tourism and Recreation critic, and I want to speak very briefly on how this Bill 40 will affect the tourism and hospitality industry in Ontario. Our tourism industry is very, very important to our economy and we ignore it at our peril as policymakers. We must understand that in the tourism sector, they rely on excellent service, goodwill and professional hospitality in order to get repeat business.

There must be a team concept at every tourist resort so that management and labour work in harmony towards the common goal of keeping the customer satisfied, and hopefully encouraging the customer to come back. Hopefully the customer leaves with a perception that he had an excellent holiday, an excellent vacation or an excellent business trip, tells his friends and colleagues that he really enjoyed that vacation, and he returns. The threat of a disruption of service at a tourist destination can be devastating to a tourist facility or resort.

Again, the tourism industry does not maintain an inventory of any kind. It's not an industrial factory. There is no inventory maintained and there is a very dynamic market. There are fluctuations in the demand for the tourism product. If you have more tourists coming in, you need more people, and the labour force in the tourism industry has to be extremely flexible to respond to that.

Any threat of a disruption of service can be devastating to a restaurant or a hotel or a motel or anything of that sort, because it demonstrates to the customer that the place is not a good place to go and it makes it very, very difficult for it to get repeat business. In fact many restaurants that have in the past faced disruption of service, a strike, for example, close within a week's time, because their cash flow is that tight.

A reliable and a productive staff in a tourist destination, in a tourist place, is very essential for continued business,

and I believe the vast majority of tourism operators ensure that they have good, harmonious relationships with their staff, because it's in their interest to do so.

I'd like to quote from Tourism Ontario with respect to Bill 40. Tourism Ontario of course is the major tourism interest group. "Regrettably, most of the proposed OLRA reforms are nothing short of 'an agenda for organized labour.'"

I think I'm getting down to the end of my time, and I want to talk very briefly about the concept of collective versus individual rights.

With Bill 40, we are seeing a government that is totally embracing collective rights at the expense of individual rights. The collective right of the union is paramount; the individual rights of the union membership are insignificant and will be totally discarded.

We see with Bill 40 the loss of petition right for an individual in a union who wants to get out of the union, to change his mind, to say, "The union's not representing my interests so I'm going to petition against it." That's lost.

We see the loss of the right to reconsider the fact that you've signed a union card and maybe in 48 hours you've reconsidered your decision—again an individual right that is being lost.

We see the absence of a secret ballot requirement, an absolute requirement for every ballot that's taken to be done in secret, for certification, for strike votes, for ratification of contracts and for decertification—again a very important individual right that should be in place in our labour law that the government is totally ignoring and saying: "We're not going to have individual rights any more in the workplace. They're all collective rights and the union is going to represent you whether you like it or not."

Our party, in opposition, has made great efforts to put forward alternative courses of action for this government to follow. We believe that in opposition we have a responsibility and an obligation to demonstrate the downside of the initiatives the government is bringing forward, but we also have a responsibility to put forward positive alternatives. We take that very seriously and we have done that in every instance that has come to our attention in this place.

Our party has put forward this position, and I totally endorse it with respect to what we're saying, and the people of my riding I believe are totally in favour of this position, that there immediately be a full, independent impact study commissioned and publicly released for further discussion in all sectors of our economy and, if the minister is sitting there and if he's done his own impact study, I'm saying to him now that he should release it for the sake of letting people know what impact he knows Bill 40 is going to have on Ontario.

If the impact study demonstrates that the effect of Bill 40 is going to be negative, if there is going to be any significant job loss whatsoever, these proposals should be shelved for further consideration; these proposals should be put on the back burner on the shelf. Then a tripartite commission should be established with representatives from government, labour and business to give this issue further discussion. Not only labour law changes; they should also be concerned about how we enhance our competitiveness in this world economy, this world market

we're into right now, that is going to be the future in the next century.

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How do we foster innovation in our companies leading towards enhanced productivity so that our companies can compete? How do we establish greater cooperation and harmony in the workplace so that all parties are working together towards the common goal? How do we make sure our training in Ontario is the best in the world, that we can enhance the training in our workplace, our schools, our community colleges and universities?

I have a very brief time left, Mr Speaker, but the people of my riding of Wellington are totally opposed to this bill. They're very, very concerned. The people in my riding who create the jobs or who work for small companies have grave concerns that Bill 40 is going to further damage our economy and they're totally opposed to this. I urge the government to please listen to what I have said this afternoon and reconsider its position on Bill 40.

The Deputy Speaker: Are there any other members who wish to participate in this debate?

Ms Sharon Murdock (Sudbury): I'm very pleased to speak today on Bill 40, mostly because I firmly believe it's long needed for the province of Ontario and also because I think people have talked about tilting the balance in favour of labour. That's working on the presumption that what exists is already in balance. I don't believe that anyone who has ever walked a picket line can ever believe there is a balance.

Before I begin my remarks in regard to the 10 significant changes that have been made in the present amendment, I would like to comment on the Globe and Mail article as well as the Toronto Star article that appeared today. I have to give great thanks to Mr Robert Sheppard and Mr Thomas Walkom for the information they are now disseminating. They respond to some of the things I've just heard today. For instance, on the impact study, Mr Sheppard says:

"Last week, for example, construction bosses got together to argue that Ontario should put the bill on hold until 'proper studies' on its impact can be conducted by 'independent researchers.' That should take a lifetime and a thousand or so economists."

That is no doubt the truth, because you can't do an impact study in reality on this until it's already been in place for a while and you have been able to make some judgements as to how many are going to actually opt to unionize. That's what this bill is: It is choice. You have the choice to form a union if you wish. There is nothing to say, as we are led to believe by the opposition, that the day after this becomes law suddenly everybody in the province is going to be unionized and that every small business in this province is going to be unionized, because that is just not the case.

In terms of Mr Walkom's article, I have to read a particular point he made, one by Mr David Turnbull, who made a point in the House on Monday, "He suggested that unions be required by law to hold a secret ballot before striking—again as is done in Quebec."

The reality of these amendments, if some of you would take the time to read them, is that you cannot access the replacement worker provision unless you have a 60% strike vote. Therefore, it makes sense that you cannot have replacement workers' provisions unless you have had a mandatory strike vote. That's first and foremost.

The other thing I have to point out from Mr Walkom's article, which is to be commended:

"Unions are not radical. They are essentially conservative organizations which help maintain a middle class that is solid and stable. It is no accident that the world's two most economically dynamic, socially conservative—and middle-class—nations, Japan and Germany, are extensively unionized.

"For employers and their legislative allies, a province without unions may sound tempting. But in the long run, it's bad business. And bad politics."

Thank you, Mr Walkom.

This was a process that began over a year ago—in fact January 1990; I've mentioned that in the House before—when the labour and management committee was asked to look at how it would change the Ontario Labour Relations Act if it could. We came back with two reports unfortunately, and one of them got the most media coverage and the hysteria that resulted from that. Since then, the ministry has received numerous calls and visits. The minister and the deputy minister have met with hundreds of different groups, both business and labour. From that input, they developed a consultation document, which came out last November.

Following that, we then did the hearings through January and February. There were 48 areas of discussion in that discussion document. I want you to keep that number in mind because it becomes important as we proceed through the other materials that have transpired thus far. Either the minister or myself or both of us sat through all of the consultations. We had over 300 presentations made to us, the majority of which were from the employer groups, and we listened. We did; we listened. Those consultations were of great benefit, despite the comments I've been hearing throughout this debate.

Over and over again, we were told that the consultations were nothing but a sham. The opposition has told us that we didn't listen and that the entire process was meaningless. Well, I don't like wasting my time. I said that yesterday when I was in the House speaking on the time allocation bill. Frankly if I sat through consultations that started at 8 o'clock in the morning and ended at 9:30 at night every night for two months, I would hate to think I had wasted my time that meaninglessly.

From those consultations, we moved into setting up some kind of legislation in the language that we needed for the legislation. When we looked at those amendments and decided how we were going to transpose what was in the consultation paper into language for Bill 40, I believe it shows exactly how we did listen to the employers when they told us of the significant impact these laws were going to have on their businesses. This is how we looked at impact, by listening to the presenters who came before us. There were over 22 changes made from the discussion

paper. Some were deletions, some were additions and some were amendments to the basic ideas, and all because we listened to what the people said.

The member for Scarborough-Agincourt has mentioned the number of amendments that exist in the present Bill 40, which is 32, and yet of those 32 amendments, 22 of those came from, were altered, were added or were deleted as a result of the consultation discussions.

What I'm hoping to do today in the time allotted to me is to look at the 10 most significant amendments. Frankly from some of the comments that have been made in the House, I wonder whether or not all of the members have read the amendments, because they continually refer to things that have already been changed in Bill 40. Most significant changes were based predominantly on the concerns expressed by the many employer groups which appeared before us. I'm going to do this in two ways, so I hope everyone's paying attention. I'm going to do what was in the consultation document and then what is now in Bill 40.

First is the inclusion of supervisors to be able to form unions. That was in the consultation paper. We were going to allow supervisors to form their own unions or form within the union that existed. Now that the amendments are out, that supervisor exclusion is retained, and it is kept in the Ontario Labour Relations Act because the concern was expressed most clearly by all of the employer groups, and in every one of the submissions you'll see this as one of their comments. It was most strongly expressed by the auto companies; it was a major issue for them. To have the opposition now tell us that the consultations were cosmetic goes beyond the pale.

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The second area of major change is the access to the employer's property for the purposes of organizing. We were going to allow that in the consultation papers. It has been removed entirely now in the amendments. It is not a consideration.

That entire issue was of grave concern to the employer groups that appeared before us. Views were stated that the work and the work site were going to be severely disrupted if we allowed organizers to walk in at will and try to organize to form a union. We agreed that it would cause some disruption and the entire section on access for organizing on the work site was removed. To me, that's proof once again that the consultations were not a mere sham, as has been told to us time and again in this House.

The third area that was in the consultation discussion paper—and I've heard it mentioned three or four times in the four days of debate we've had on this—is that the names and addresses of employees were to be provided upon notification of application.

We heard the right-to-privacy argument, we heard that individual rights were being denied to the employee, that we would be giving out their names and addresses willy-nilly, that we should not have that right, the unions have no right to access, and we listened to them, because we've removed it entirely from the amendments in Bill 40.

Time and time again we said that the union organizers were going to have to operate the same way they have

been doing in the past years, yet we're still hearing that this is a requirement existing in Bill 40, and it is not. I can only assume again that some members haven't had time to read the bill yet.

The fourth major change was the 50% plus one, which we had in the consultation paper. The existing act, the Ontario Labour Relations Act, is 55%. We have maintained the 55% threshold for automatic certification. It's maintained as is and we have deleted entirely the 50%-plus-one provision.

This was a very, very big issue with the business community. They felt the 55% at least would indicate that more than half wanted to form a union, and again, we listened to those concerns and we made the change, or, as in this case, we left it as it is.

The fifth change, the definition of "strike," was that we were looking at the whole definition of "strike" and whether or not that should be changed in the discussion paper. This would mean, had we gone forward with what the consultation paper discussed, we would have then allowed unions to negotiate in their collective agreements the right to refuse to cross the picket line or the right not to handle struck goods.

That raised particular concerns in the auto industry and the delivery of products to the auto industry and that, had unions been allowed to continue to do that, it would have caused major problems. As a consequence, the definition of "strike" has not been expanded. It is left the same. Neither of those concepts can be negotiated into collective agreements.

So we did listen, once again, to what would impact on business operations and business concerns. To say that we haven't listened is totally erroneous, and I take strong, strong exception to being told that we wasted our time.

The sixth area of major change was not in the discussion paper. All through the consultations we heard that they wanted a mandatory strike vote, and we've heard it again today.

What we decided to do was that we took a compromise position. It's certainly something that I think is livable and workable. It is a 60% mandatory strike vote. Basically what that allows is that if the union wants to access the replacement worker provisions, then it must show it had a mandatory strike vote and achieved at least 60%. If they do not get 60% of the strike vote, then they have no access to the replacement workers. It would strike me as making eminent good sense that if you can't get 60% of a strike vote, then in all likelihood you should rediscuss some of the positions you've been taking.

The presentations were made constantly through the discussions over narrow strike vote situations, and that's what we tried to alleviate or resolve with the 60% number. From the consultations, the amendment basically states that, as I've stated, if you don't have a 60% strike vote, you can't access the replacement worker provisions, and I think the replacement worker provisions, as I'll get into, are extremely important.

The seventh area of change was in discussions to look at what constituted an essential service. This was not one of our preferred options. If any of you looked at the dis-

cussion paper or the consultation paper, some were preferred options and some were just open for discussion, and this was a discussion area as to what constituted an essential service. We found out through consultations, particularly with utility companies, that they were most unhappy that it was in a discussion aspect rather than in a more certain form. They asked us to put something together with more certainty as to what constitutes an essential service. They also wanted some flexibility in determining what those services would be and what would not specifically be included.

Under section 73.2 of the amendments, we have now designated what an essential service is, with provisions to apply to the Ontario Labour Relations Board for designation as an essential service.

That isn't all we did in that section. Because of the comments that were made to us in the discussions and consultations, we emphasized that the stakeholders are to work on a joint agreement prior to any labour dispute. In other words, they sit down and discuss something, encouraging parties to negotiate what is an essential service in their operations and how those services would be continued during a strike or lockout. Then that joint agreement would be in place should a labour dispute ever occur and it would be made prior to any altercation.

I heard a member on the opposite side make that very same statement and it's already in the amendments. So I think maybe we should really read it carefully to find that out.

This amendment shows once again that the consultations were not a sham. Indeed, all parties were heard and alterations were made on the basis of what we heard. Included in that amendment is the protection of property from damage or deterioration as being one of the considerations, and protection of health and safety during a strike, all of which are important and all of which were mentioned time and again during the consultation process.

The eighth issue we looked at is the agricultural provisions. We had them in the discussion paper, but it became quite evident soon after we started that they were a separate entity. Therefore, shortly after the consultation process began, the minister called forth a task force to look at the agricultural situation alone, to examine with the stakeholders sitting at the table as to how they would make recommendations to continue, change or amend the agricultural exclusion, whether that exclusion or part should be renewed or ongoing. Again, this is an example once more of how we listened to the people whom this bill will most affect. Then you have your rural caucus colleagues who said this was really important and we should look at it separately.

The purpose clause: We heard a lot about this during the consultation paper discussions, mostly because there was one section in the consultation paper that used the wording that terms and conditions could be changed. The presenters who came before us were quite concerned over the idea of a third party or the Ontario Labour Relations Board or a mediator being able to make changes to their collective agreements without their input and say-so. They

were interpreting this section as meaning that, so there was a clarification needed. We did that.

Also, because of that section, the purpose clause was focusing more on interpretation rather than process. So now in Bill 40 we've focused on the process of the collective bargaining process as suggested by those who came before us.

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Employers told us in all the presentations that there was no reference anywhere in the consultation document to productivity. That's not quite true, because in the preamble we certainly spent a lot of time talking about how the workplace has changed, how the work sites in Ontario have changed, how the people who constitute the workforce have changed and how productivity levels have to increase and how we have to change our whole method of operations and thinking and working together. So we did talk about productivity, but not in the sense that the employer groups which came before us said.

As a consequence, we realized from the hearings that that was a key and that it was going to have to be mentioned. So within the purpose clause that now is in Bill 40 in the amendments, you will see that there is one section that is geared strictly to the productivity aspect. It is now in the revised purpose clause.

I think, too, that anyone who has looked at and makes a comparison of the consultation document and the amendment will find that indeed we did listen and that this was not a waste of everybody's time and a sham process.

The 10th item, where we made a significant change again, is not in the discussion paper, but it came up many times in the presentations that were made before us. This is where it allows non-supervisory, non-bargaining-unit employees to do struck work. It was a stated concern by a number of the presenters. They asked us if we would reconsider the concerns which would allow people who weren't in the striking union to do struck work if it came to pass.

I guess probably the easiest example to offer—I'll use my home town, Falconbridge. If the miners went out on strike, the clerical workers—which to me would be ludicrous, to ask them to run equipment and machinery—could be asked to perform some of the functions, if it required pushing buttons and did not cause a health and safety concern. Now under the amendments, this would be allowed. Having said that, you couldn't then replace the worker who is doing the struck work.

Obviously, this would have to be done with cooperation. It would have to be done with the agreement of the worker and the employer. But it does allow some flexibility for the employer, which was one of the things they asked us to consider.

This suggestion came, again, from the consultation process, which the members opposite continue to call a sham and a waste of time. I honestly don't believe the presenters who made these suggestions considered that their ideas were either useless or a waste of our time. They came forward and talked to us because they believed we would listen to them. I believe we have shown by the

amendments that we have. In fact, we've proven by all these changes that they didn't come before us for nothing.

There are a number of other modifications based on what we heard throughout the consultations. As I said, there were 22 basic changes throughout. It is important. I know the members opposite sometimes have a hard time believing that two months of hearings are not part of the process. It may not be part exactly of this Legislative process, in terms of the speed at which this is going to be passed. But it is certainly a process where hundreds of people were given the opportunity to appear before us. No doubt, we will be hearing many more in the weeks to come during the hearings we're about to go into.

I wanted to focus today in my speech in my portion of the debate on the changes that we have made and on the fact that we have listened. I urge everyone who wants any information to call us. Actually, just read your local newspapers and you'll hear the real story.

Mrs Barbara Sullivan (Halton Centre): As I start to speak on Bill 40, I want to say that I deeply regret and deeply resent being forced by this government to participate in what is really a truncated debate on a matter of very serious importance to the entire province and indeed to the entire country. Bill 40 will change not only the nature of the relationship between employee and employer, but it will have an economic impact that will be reflected not only in Ontario but throughout Canada.

In both those areas, even in its current status, the bill has already triggered a negative response. The government is clearly aware of that, and that negative reaction is coming not only from small towns in Ontario and from large cities, whether it's Stratford or Milton or Renfrew, but it's also coming from international investment capitals, from New York, from London, from Tokyo, from Frankfurt and from Zurich.

I've seen the reports that investment managers, that investment bankers are placing on the table. We know—and I know the Ministry of Industry, Trade and Technology is concerned about this issue—that just as capital knows no international boundary, neither does communications, and the communications across the international capital network about this piece of legislation, each one of those communications independent of the other, beat this same message on very sophisticated drums, and what that message is saying is, "Avoid Ontario."

If the government hadn't unilaterally and deliberately limited debate on this bill by changing the rules that govern the way the Legislature operates and the opportunity for a thorough discussion of the elements of the bill, a fuller discussion and perhaps a fuller understanding could have taken place, with proper feedback from our various constituencies, with analysis of the perceived and real impacts of the implementation of this bill, with the placing of the argumentation of the various sectors which will be most directly affected, with the juxtaposition of this legislation in the confluence of economic factors that are affecting the very way we do business in Ontario.

Through the debate on this bill I've listened to much vacuous nonsense, frankly, from government members about how this bill will improve occupational health and

safety or how this bill will improve women's equality in the workplace or how this bill will change the equitable place of workers from ethnic minorities in the workplace. We know Bill 40 does none of those things, and no one who has any interest in this bill or any knowledge of Bill 40 can do other than shake his head in disbelief at those claims. What those people who have done work on the bill and who have studied the bill say is that either the government members haven't read it or they don't understand it.

Then we've heard that those who oppose the bill, in whole or in part, that those who have reservations about sectoral impacts or the economic costs of the bill, that those who say they haven't been heard or don't expect to be heard, that those who've written or spoken about the provisions in a negative way, those people are engaged in a campaign of terror, those people are scaremongering.

What those people are hearing is that there is no place for dissent and no way to be heard, and there's no confidence that with all the legitimacy that can be mustered in putting the arguments forward associated with the concerns, any further changes to the bill will be made. The sense is that Bill 40 is a *fait accompli* and that neither the government nor any government member has any understanding of its full repercussions; that this bill, which goes further and faster and creates a malbalance between labour and management that exists in no other jurisdiction, will in fact proceed with no changes; that the cherry-picking that has taken place in putting this piece of legislation together from several other jurisdictions in toto will leave Ontario in a place that separates it from its competing jurisdictions; that in fact this bill will separate Ontario from its competition.

I particularly want to turn to the cherry-picking that has been associated with the agricultural sector as one example. Despite the establishment of a Task Force on Agricultural Labour Relations last January, the government, it appears, couldn't wait to get its own view of how agricultural workers should be organized not only on the table but into law.

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On June 4, 10 days before the task force reported, the Minister of Labour introduced Bill 40, and the sections relating to the agricultural sector had been cherry-picked from British Columbia, from Quebec and from New Brunswick. There were no changes such as the member for Sudbury referred to, and there's no recognition of the fact that in each of those places, the structure of agriculture is fundamentally different in significant ways than it is in Ontario. None the less, without notice, Bill 40 proposed to change the application of the Labour Relations Act, which previously excluded those employed in agriculture, hunting, trapping and horticulture, but will now apply to a person employed in such class of agricultural or horticultural operations as may be prescribed by the regulations, according to the new act.

The government couldn't wait 10 days for the task force report. It introduced rule changes to shorten the debate on the act itself, and it introduced the act itself 10 days before the agricultural task force could report. That Ontario farmers are struggling against bankruptcy daily was ignored. That farm production is a continuous process

operation that demands uninterrupted harvest operations was ignored. That the product of farm operations is perishable was ignored. That cattle and pigs and sheep and horses and deer must be fed, watered, groomed and cared for 24 hours a day, 52 weeks a year, year in and year out, was ignored. That seasons and sun and rainfall are key determinants of the workplace in the agricultural sector was ignored. Instead, arbitrarily, 10 days before a report was presented by the very people who were requested to study the issue, agriculture and horticulture are included in the act through regulation.

I've been astonished, as I've listened to the debate, that no one in government has raised this issue in discussion on the bill. No one has talked about the task force report. The only acknowledgement in this House that an entire sector was now to be affected by the act, with all the implications accruing to the agricultural and horticultural industries, was contained in a response by the Minister of Labour to a question put by the member for S-D-G & East Grenville. The minister said, "We are still looking at what the final draft will be in terms of the recommendations the committee seems to have agreed upon."

I understand if the minister, representing an urban riding, has no particular appreciation of nor a particular attachment to agriculture. If he thinks that chocolate milk comes from Jersey cows, that's fine with me. On the other hand, it's more than 30 days since the Task Force on Agricultural Labour Relations reported. We will not have that same amount of time to debate this bill in the Legislature. In fact, in total for the entire discussion of the bill, we will have less than half that time.

It seems to me that if the entire debate on second reading of this bill, the agreement in principle, is limited to four or five days, the minister can respond at the very least to the task force's primary recommendations, which have been on the table for well over a month. I'd like to tell you what they are.

They are, first of all, that agricultural workers should have a separate statute and, second, that agricultural workers should have the right to organize but not the right to strike.

Why does it take the minister longer to make those decisions than he expects the chamber to take in making its decisions on the entire package of Bill 40? How does he have the nerve to say to members and to the public that he will judge that enough has been said in debate on this bill when one of the singular new initiatives which he's put on the table is surrounded by a massive "No comment" from the minister himself, and when an entire sector that has been a partner in the consultative process, the only one that I can see that has clearly worked, can't get an answer that's clear and definite from the minister?

I hope that before debate concludes on this part of the reading of the bill, the minister will respond fully to the issues I've put in relation to the agricultural task force. Farmers across Ontario need a response from the minister and want a response from the minister. Will he commit in this chamber publicly to a separate agricultural labour act and will he concur with the task force that farmers and agricultural workers should have the right to organize but

not to strike? I hope to hear the answer to that today and I know the agricultural sector wants to hear the answer to that today.

I want to move to the environment of the bill, which is the economy of today and the shape of the economy tomorrow. As I do that, I want to refer for a moment to Canada at the Crossroads, a study by Dr Michael Porter from the Harvard Business School prepared for the Business Council on National Issues and the government of Canada. In his study, Dr Porter talked about the reality of a new competitive environment. The study was produced in October 1991.

His research talked about how government can improve or detract from our national competitive advantages. In Ontario, a province that has been in a clear economic downslide since September 1990, the role of the provincial government, in contributing to our competitive advantage, is crucial. Porter says:

"Government policy should be directed to building the skills, research infrastructure, and other inputs on which all firms draw. Through regulations, tax legislation, competition policies and policies in other areas, government should seek to fashion an environment that supports upgrading and productivity growth."

For labour, Porter makes some very specific recommendations for positive ways of influencing economic and social growth and change. I'd like to bring some of those implications to your attention. The first is the focus on productivity. Porter reports:

"Canadian unions have sometimes been hostile to the imperative of productivity improvement, seeing it as a threat to jobs or a veiled attempt to reduce wages and benefits. To varying degrees, they've resisted developments geared to achieving higher productivity—such as workforce reorganization, multiskilling, and compensation systems more closely tied to performance. Today more than ever before, the future viability of many Canadian industries and firms depends on their success in upgrading productivity. Unions can make an important contribution by assisting firms to identify and remove obstacles to productivity improvement, by pressing for job enhancement and flexibility, and by supporting advancement based on training and merit."

Porter goes on to speak about unions' role in skills upgrading and about more cooperative labour-management relations, where he says, "Shifts in production technologies and increasing competition call for a deeper re-evaluation of a traditional labour-management framework." He indicates that:

"For their part, unions should embrace opportunities to participate in firm planning and encourage more information exchange. If Canadian industry is to compete successfully in the future, labour must move beyond its traditional and deeply rooted inclination to see management as the 'opposing team.'"

It seems to me that this legislation once again pits management against labour as opposing teams. A government with close ties to organized labour, such as the New Democratic Party, it also seems to me, had a real opportunity to provide inspiring leadership and goal definition and to in-

fluence organized labour leadership to play a real leadership role in the revitalization of our economy.

Just as the government has turned to out-of-date and hackneyed technologies and ideologies in dealing with waste management issues, so it has adopted, through Bill 40, the least constructive, most out-of-date approach to labour-management relations. It looks to and will encourage sour confrontation, creating a deliberate imbalance between employer and employee, and takes its lead from the past rather than from the future.

Two nights ago, the member for Wilson Heights talked about the reaction of the major international community to the approach of this government in labour-management relations. In my view, there was so much to gain and so much that's been lost in the drafting of this bill.

1630

The Acting Speaker (Mr Dennis Drainville): Further debate?

Mr Steven W. Mahoney (Mississauga West): We're going to go here and then there.

The Acting Speaker: Is it agreed that we break rotation?

Mr Charles Harnick (Willowdale): Agreed.

Ms Dianne Poole (Eglinton): I am particularly appreciative of the opportunity to speak in the debate today. Although I will only be taking a few minutes to do so because many of my colleagues also want that opportunity, I am particularly appreciative, because a number of my colleagues will not have any opportunity to speak because of the closure motion brought by the NDP government.

When it comes right down to it, I can't believe that with our economy in a shambles, with businesses going bankrupt daily, with record numbers on the unemployment line, the government honestly believes that labour reform is the most vital and most pressing issue it has to deal with today. I cannot honestly believe that. To be polarizing labour and management at such a crucial time is not only foolhardy, I believe it is irresponsible. At no time in our history has it been so important for labour and management to work together if we are to be competitive, if we are to thrive, and indeed if we are even to survive.

I ask: Where is the driving need for this legislation? Why this legislation? Why at this time? I haven't heard an answer from the government that satisfies me.

Earlier in the spring I did a survey of my constituents and I asked them a series of five questions. Unlike the questionnaires and the surveys put out by the Premier and the Minister of Citizenship, my surveys did not ask, "Do you think the NDP is really great, great or really fine?" They had a little bit more depth to them. They asked about issues that are important, such as the economy, such as Sunday shopping, such as a universal system of day care, such as the deficit.

One of the questions I asked was: "The NDP government is planning major changes to Ontario's labour laws. Do you feel unions should have more power, less power, the same power or undecided?" The results were quite an eye-opener for me. When I did an analysis of the results, I found that the overwhelming opinion of my constituents,

the people who live in north Toronto, the people of Eglinton, was that this was not necessary. In fact, according to the constituents in my riding, 67% felt unions should have less power, 22% felt they should have the same power, 4% felt they should have more power and 7% were undecided.

My summer student, Bart Nickerson, did some graphs which I think illustrate very well how overwhelming their opinion was in this matter. This dark section shows 67% of my constituents felt that unions should have less power; you add on the 22% that said they should have the same power, and that makes a total of 89% of my constituents who felt that unions should not have more power. This was not just an isolated survey. This was a survey that went out with my householder to every constituent in my riding: 1,701 responses. Of that, 1,137 replied that they should have less power.

I think that is indicative of many parts of the province. The issue right now is not whether we should have labour legislation or whether we should be increasing the power of unions. That is not the issue. The issue for my constituents and many constituents across this province is: "Do I have a job? What do I have to do to get a job? How can business help me get a job? How can the government help?" I can tell you, this legislation is not the answer. That we are polarizing the groups at the very time when we need to work together, to me, as I said, is irresponsible and unforgivable. If there were a crying need, then I could understand it, but that need has not been expressed.

Not only that, this government has not done impact studies. In fact, they have not done any studies, or none that they are prepared to reveal to us. So how can we just take the government's word that this legislation is necessary? How can we take their word that we will not lose jobs, that we will not lose our competitive position?

I can tell you, I don't trust the government in what it's saying. I wish they had not decided to cut off debate, to cut off members of the opposition from speaking their piece, but because they have, we will have very little opportunity left to halt this train until they can rethink their position. I think this is a sad day for this province.

The Acting Speaker: Further debate?

Mr Harnick: I'm pleased to be able to add my point of view on this very important debate on a very important issue, on an issue that I think is going to make or break this government.

I was on the subway the other morning on my way to this place, and it was rush hour. The subway car was packed with people. In fact it was so packed with people that when we got to Bloor Street the doors couldn't close. For those members who don't habitually take the subway, I would recommend it; it's an experience, and it's a humbling experience. When I looked down that subway car, I saw that there are about four entrance doors in every car and about eight little sections in the car and each section seats around 20 people; there might be 80 or 100 people on that subway car.

I started to think about this labour bill and I started to think about a survey that said if this labour bill becomes

law in the form it now is in, 295,000 people will be out of work. The minister doesn't like that what he describes as a report or a survey, but the fact is that it exists. It's an opinion and it's a very authoritative opinion. I started to think that if that report is even 50% right—or 50% wrong, whatever way you want to look at it—the subway car I was riding in could be empty, as would the car beside that and the car behind that and maybe the next train and maybe the train after that and several trains.

If this survey is correct, it would be the equivalent of virtually half of the city of North York, which is the fourth-largest municipality in Canada; having half its citizens unemployed, unemployed because of a labour bill that is not going to promote the economy in the province of Ontario.

Quite frankly, I find that a very alarming, shocking report. I've got to tell you, that report and the conclusions it comes to blow me away: the enormity of 295,000 people losing their jobs because of a single piece of legislation. I shudder when I look at that report, and it says that it's right within 66,000 jobs 19 times in 20. That is just a shocking, frightening statistic, and if that statistic is only 50% correct, we're only going to lose 150,000 jobs.

1640

I can't believe that this minister has sat in this Legislature since September 1991 and not disclosed to us any economic impact studies he has to say this legislation will not create that result. I've gone through Hansard and I find the answers the minister has given to be not at all reassuring.

On September 23, 1991: "Could the minister tell this House what impact studies the government has done to determine how many further jobs will be lost as a result of the minister's labour proposals?" The minister's answer: "I would hope that the leader of the third party has as much respect for all sides of this equation, including workers, as I do."

Nobody doubts for a single second the respect this minister has for workers. That's not the issue. The issue is, how many of those workers are going to be out of jobs because of this piece of legislation? Certainly that answer by the minister didn't answer the question.

On November 26, two months later: "Will the minister tell us today whether this government has conducted an economic impact study on the labour law changes? If not, can he tell us why he refuses to do so when so many potential jobs are threatened?" The answer: "I think the member is aware that there have been no real studies done to date at all. The studies she is referring to from business are really surveys of their members and not thorough studies of the issues before us."

If that's the case, and that was going back to November 1991, why has this minister not done that thorough study? Why has he not undertaken this? Why, if he has undertaken it, has he not disclosed it to the people of Ontario? Why has he not allayed those fears? I can't abide the fact that this hasn't been done and I can't abide the fact that there are 295,000 workers in this province who may be out of work because of this legislation.

In October 1991, it was put to the minister: "The result is that an astounding 250,000 jobs are at risk. What does the minister have to say about that?" The minister's response

is: "The statements and comments he makes certainly do not lead one to believe one could get a fair consultation process with his way of doing things." "Since the minister did not do his own study, does he agree with the results provided by the independent firm of Ernst and Young?" He says, "What the leader of the third party should understand is that what we need and will try to do with the consultation paper is constructive dialogue between the parties, not the scare tactics currently being used."

You can dismiss what Ernst and Young says as "scare tactics," but Ernst and Young doesn't make its reputation by being wrong. Ernst and Young is an international management consulting company that provides opinions on various issues. A number of those opinions, I understand, are to this very government. It doesn't make its reputation by being wrong or by being outrageous. It makes its reputation by studying certain issues and providing answers. The answer it has provided is that 295,000 people are going to be out of work. The minister has not responded to that study in any way, shape or form that he's prepared to disclose to the people of Ontario.

June 1, 1992: It's six months later and he's had all winter to do his economic impact studies. He's asked, "When you introduce your new proposals, whatever they contain, will you table an impact study on the workers of this province at the same time as you introduce your legislation?" His answer is, "The intent of the legislation is clear, and that is to improve the labour relations climate between workers and business in this province."

I say "shame," because if that's the response to that question and if that's the response to the studies that are out there, this minister can do better.

Again, on June 4, it was put to the minister: "This legislation will kill jobs. Minister, have you any impact studies or evidence to prove otherwise?" And the minister says, "Wait and read the actual legislation, but it seems to me there is absolutely no evidence whatsoever that this legislation is going to kill jobs." There is evidence. There's a study out there by a reputable firm that says 295,000 jobs are going to be lost. Surely this minister, before he proceeds with this legislation in the form it's now in, must provide us with some information to the contrary. He must provide that information; otherwise he isn't representing the workers he professes to represent.

On June 8, this time the Premier is asked, "What about the impact studies that the Minister of Labour's refused to provide us with?" The Premier said, "If it's a study he wants, then I would ask what better place for a study to be overseen than within the committee that will be dealing with the legislation?"

Mr Speaker, you and I have sat on committees together. Our experience happened to be a good one because we were dealing with an issue that was politically non-partisan, but I can tell you that the run-of-the-mill committee in this place does not come up with impact studies of how a piece of legislation is going to affect the workers of this province. You know that, I know that, Mr Rae knows that, and the Minister of Labour knows that. How can he proceed with a bill in the face of that evidence? It's the only evidence. He hasn't provided us with anything better.

On July 6: "Minister, do you have one shred of evidence to suggest that this study is incorrect and that in fact some 295,000 jobs and \$9 billion of investment are not at risk? Do you have one shred of study done by your own ministry, your own government, that disputes or refutes this evidence?"

The answer is, "I think some of the evidence is wrong." He goes on to say, "This is the same group that has put up some of the most laughable billboards I've seen in the province of Ontario, and you now want me to accept this latest survey of theirs? I'm sorry, I just don't buy it."

The fact is that Ernst and Young didn't put up billboards. They did a study in a very scientific way and they came up with a conclusion that obviously the government doesn't like. But if it's correct, or if it's only half correct, we're going to see 150,000 people lose their jobs. I can't accept that.

The city of North York, which I represent, has some grave concerns about this piece of legislation. I can tell you that the North York public health department, which is affiliated with the Association of Local Official Health Agencies, is concerned about this piece of legislation. Their letter to the minister is interesting, because the first objective of the purpose clause, they state, "is to ensure that workers can freely exercise the right to organize." The comment that the association of Ontario public health business administrators has about that is quite simply that it does not explicitly convey the converse right, that is, the right not to organize.

The letter to the minister also goes on to point out that since health units are not subject to compulsory arbitration, supervisory staff could be quite under the gun if a strike situation occurred, because they have to try and carry on with programs dealing with emergency health, an outbreak of communicable diseases, and they have to be in a position to deal with those issues at any time. The provisions of this bill may well prevent them from doing that. They have some grave concerns.

The development and economic growth committee of the city of North York has some grave concerns about this piece of legislation. They state that the Ontario government's proposed amendments to the Ontario Labour Relations Act could potentially have far-reaching and damaging impacts on the ability of Ontario and the city of North York to attract new investment and to be highly competitive with other economic areas.

1650

They go on to say:

"The city of North York is the home of an estimated 18,000 businesses, the second-highest total in all of Ontario. In order to maintain the businesses that we already have and in order to attract new businesses to the city, we must ensure that there is a positive climate for investment. The proposed changes to the labour laws do not help create this positive climate and in fact probably create a negative attitude towards investment in Ontario."

They go on to say:

"The proposed changes to the Ontario Labour Relations Act will allow unions the right to organize on the private landlords' property. A change of this nature would

have serious repercussions on property owners or adjacent businesses."

They have very grave concerns about this. The city of North York, as I've indicated, is really an economic hub in this country—18,000 businesses in the fourth-largest municipality in the whole country. When I read what they say, I hope that the parliamentary assistant, who is here, is listening and I hope she recognizes the concerns of the municipality I am proud to represent in this Legislature. They go on to say:

"There are no measures in the proposed changes to the act to protect the rights of the private landlords, non-involved merchants and independent businesses.

"The retail sector, as well as the industrial and office areas in the city of North York, will be seriously affected by the proposed changes to the Labour Relations Act. At a time when Ontario and North York's economy is searching for a positive economic action to stimulate growth, any new changes in legislation that make Ontario less competitive will slow down the economic recovery and the creation of new jobs or investment in the province. In fact, the proposed changes as they are written potentially create a climate of uncertainty for investors in existing businesses.

"Ontario needs to send a strong, clear message that states 'Ontario welcomes businesses and investors.' The current labour laws in Ontario as they are written work and maintain a careful balance between unions and the business and investment community. New proposed changes to the act will tilt this current balance in favour of unions in Ontario."

This is not me speaking. This is not my party speaking. This is not any ideology speaking. This is a municipality that is fighting to maintain a decent level of services for the people who live in the community I represent. Surely, as close to the public as they are, they know what is going to be best for the members of that community.

I urge the parliamentary assistant to take heed of what this municipality is saying, not to be stuck with ideology, not to be getting into a situation such as we saw the government in dealing with Sunday shopping where they just could not bring themselves to break with the ideology that meant so much to them. We went through a terrible process of public opinion having to be forced down the throat of the government.

I tell you, that public opinion was exactly the same on the day that Sunday shopping legislation of the socialist government was passed, that public opinion was exactly the same on that day as it was on the day that the government finally came in and recanted with its tail between its legs. They're going to have to do the same thing dealing with this labour legislation. Unfortunately, during that interim period people are hurt, and the people who are going to be hurt in this case are the workers in the province of Ontario.

Mr Speaker, I might bring your attention to an ad by the North York Chamber of Commerce in the North York Mirror dated Saturday, July 11, 1992, a full-page ad it took out. The North York Chamber of Commerce is pretty careful with the money it raises and spends. What they say in this ad is:

"If you are a small business person in Ontario, We Need Your Help!"—in great, big, bold letters.

"The government of Ontario believes proposed changes to the Ontario Labour Relations Act are necessary and will create better business/labour relations in this province. We strongly disagree. We are Ontario's small businesses, and we comprise the backbone of this province's economy. Our concern is for all Ontarians. As a business person you should be aware of these proposed changes because they will have a dramatic effect on your ability to run your business.

"This act will effectively prevent companies from operating during a strike while striking employees are free to get other jobs or tax-deductible strike pay. This act will in most cases eliminate the right of employers to use replacement workers. This act will give access to property, such as shopping malls, to striking employees for picketing and organizing and result in third parties being affected. This act will forbid workers in a striking bargaining unit from crossing picket lines, even if they want to."

This is the ad, a full-page ad, put in the North York Mirror, dated Saturday, July 11, 1992. That surely conveys the concern of the North York Chamber of Commerce about this piece of legislation. The board of trade has expressed the same reservations.

My time is running out. I'd like to finish shortly so I can give as many other members as possible the opportunity to speak under the circumstances we face in this Legislature in the 1990s under the government of the New Democrats. But at any rate, I could go much longer. I wish I had a good chance to go through this and speak to the 45 pages of legislation, but I'm not going to have that chance. All I can do is express my gravest concerns over the most insidious parts of this legislation.

The one area that is very contentious is the strike-breaker legislation. From the Financial Post of June 8, 1992, I have the comments of the president of a large company who found himself involved in a strike a year ago. He talks about some of the devastating effects of this strike in the context of the present labour legislation that's being proposed. The article reads as follows:

"Changes to Ontario's labour laws threaten to polarize business and labour, the president and chief operating officer of Oshawa Group Ltd warned Friday.

"Jonathan Wolfe said he is concerned because the amendments to the Ontario Labour Relations Act, introduced Thursday in the Ontario Legislature, foster collective bargaining rather than economic growth or harmonious relations between business and labour.

"Our painful experience in last year's strike [of 700 warehouse employees and drivers] confirms that additional bargaining power for unions is both unnecessary and damaging to the delicate management-labour balance," he told Oshawa Group's annual meeting in Toronto.

"Wolfe said he hopes Ontario's NDP government follows through on its promise to hold further discussions with the business community before the proposed legislation takes effect."

What he's saying is that he has lived through a strike and he has seen what happened to his business during the

course of that strike. He's providing us with a warning, and the warning is: "Look, I could hardly keep my company alive during that period of time. I could hardly maintain the relationship that I had to maintain with my customers. If this union had more power, my business would have been gone. There would have been no settlement to the strike because there would have been no business left for the strikers to come back to because the customers would have all left and gone to other sources for their supplies."

1700

That is what concerns me about this particular piece of legislation. The question really is: Do unions need that even greater power than they have now to accomplish what history in the last five to 10 years has told us they are able to accomplish? The record in Ontario is not the record in Quebec. Labour relations in Ontario are not comparable to labour relations in Quebec, and when I hear the government trying to make those comparisons, it is like trying to compare apples and oranges.

I saw the editorial of July 12 in the Toronto Star. It's interesting that the parliamentary assistant, who is here hopefully to provide balance to this piece of legislation, hopefully to provide the views of everyone, stood in the Legislature and only referred to the excerpts that are most convenient for this particular package that's now before us. The negative aspects they don't deal with. The negative aspects nobody on the government side wants to answer. In the Toronto Star editorial—and it's not often that I would stand here and quote one of its editorials. Normally the NDP would be standing and quoting its editorials, but here I am doing it today. What it says is:

"In reality, the reforms seem more likely to provoke further discord between business and the NDP. One study now says that the reforms may even cost some workers their jobs.

"That's because the government is clinging stubbornly to its most controversial proposal—to ban the use of replacement workers during strikes....

"For business, relations with customers are just as important as those with workers. And those relationships must be protected even when workers strike. If customers are lost to competitors, they may never come back."

The fact is that when customers don't come back and the strike ends, there's no company left for the workers to come back to, and that's why Ernst and Young says that we're going to lose 295,000 jobs. I don't think it's scare tactics. I think the government should pay heed. The government should either tell us that we don't have anything to worry about and show us the evidence or it should go out and perform a study to allay the fears of all workers in this province.

But I don't believe this government truly represents workers. I believe this government represents union bosses, and I think that after the flip-flop on Sunday shopping, after the debacle of public auto insurance—and the next betrayal is yet to come and that'll be the betrayal on their auto bill to innocent accident victims that the member for Welland-Thorold has fought so hard for in spite of his party. That's going to be another betrayal, and we have the betrayal on the public auto insurance.

This piece of legislation is really the consolation prize for the union bosses. It's the consolation prize to make up for the pitiful record this government now has to defend, and I think this government, instead of burying whatever studies it has, instead of ignoring the evidence that's out there, had better come clean and deal with it.

I don't have any faith that this is going to be dealt with at the committee level, because the government's record on this piece of legislation is such that it's not listening anyway.

I heard the parliamentary assistant make some reference earlier to the Ford Motor Co. When you look at what Mr Harrigan said, it was that Ontario's labour laws were a concern before he carried out the plans to engage in further investment in Ontario. None the less, the investment was announced in April, when only proposed changes were afloat, "because we were running out of time." They had so much already in the sink-hole that they couldn't afford not to carry through with their plans. They were hooked, so regardless of the legislation they had to do it anyway.

He said, "We were running out of time." Can you imagine, Mr Speaker, a company like the Ford Motor Co, which has operated profitably and successfully in Ontario for decades, having to worry about making a decision in Ontario whether to commit itself to this province? They only did it because they were running out of time and they were already stuck. It wasn't done because they had confidence in this place, because it's the best place to do business, because it's the best climate for workers and companies. That's not why they made this investment. They were hooked and they were running out of time.

The Acting Speaker: And you're out of time.

Mr Harnick: Thank you, Mr Speaker.

The Acting Speaker: Further debate? The honourable member for Brampton South.

Mr Robert V. Callahan (Brampton South): You got it right, Mr Speaker.

I'm going to engage in this debate very briefly, because as we all know in this place, our rights as democratically elected representatives of the various 130 ridings of this province have been curtailed significantly. In fact, the very fact that our debate has been cut off is probably more devastating than the bill. I'd like to speak to that first, because I think the people of the province should be made aware of that. I think it becomes very significant and very important.

We're going to look back on this bill at some point, or perhaps some other bill. Perhaps this bill isn't the most draconian bill that could be brought forward—I think it's pretty close—but there will be a bill that will be worse than this, and our limitation of debate will become obvious to the people of the province as well as to the press. They'll be saying, "Why did you let it happen?" Having said that, I don't intend to dwell on those rules that turn this Legislature into a less than democratic institution.

I do want to deal with the question of labour legislation. I can understand the Minister of Labour's approach to this, because over all the years I've been here, which is coming up to eight, sitting on almost every committee, the

present Minister of Labour was always seeking to enlarge the union fold. He was always seeking to enlarge the rights of workers, and that's fine. I respect a man who is committed to his particular position, but when you get the levers of power and become the Minister of Labour, all those fine thoughts you had and all those fine desires you wanted to carry out have to be tempered with what is going to work, what is going to make this province successful.

I've often thought to myself as I listened to the debate about Bill 40 that if the purpose of Bill 40 is to extend the scope of unionization in this province, you can only unionize if you have jobs. If there are no jobs, then all the changes in the world you want to make in the employment legislation will be of no significance because there won't be any jobs.

We hear my colleague the member for Scarborough-Agincourt stand up day after day and tell you about the hundreds of jobs that are lost every day. We'd be unfair if we said you'd caused all of this. Obviously some of it has come about as a result of the recession, but the fact is, in this fragile economy, can we afford to be responsible for assisting the recession in losing even one job?

We heard today two twin boys sitting there with their father who is about to lose his job because the Treasurer, under the ruse of an environmental issue, has put a tax on beer cans. These are the issues.

When you have the levers of power, you don't have the right to put all your dreams into reality. You have to look at them in terms of the practicality, in terms of what is reasonable, in terms of what is going to get the engine of business going so that jobs will be created.

1710

I'm sure there are lots of people out there today who for one reason or another have flipped on the parliamentary channel and are watching us. The reason they're watching us is because they don't have a job, their unemployment insurance has probably run out and they may be on welfare. Are they saying to themselves of this legislation that's being introduced by the Minister of Labour, "Is this going to make things easier for me as a worker?"

They can hardly be saying that if they haven't got a job. If what we're saying is true, and I suggest it is, and there will be job losses as a result of this imbalance that's being created by this minister in terms of labour versus management, these people will not get a job. It won't matter. They won't even have an opportunity to join a union because they won't have a job.

Minister, you've got to recognize that you are going to be the person solely responsible, five years down the line or perhaps sooner than that, if this legislation is, as we say it is, detrimental to and upsetting of that fine equilibrium between business and labour, and results in either jobs not being created, in companies leaving this jurisdiction, or in companies refusing to purchase the other company because they're required to assume the collective agreements of that predecessor company, which may have been so onerous that it just the possibility of buying that company a wasted effort.

You're going to be the one who's going to be responsible for that. You've got to sleep with that. Your conscience

has to accept that. You have to accept that there are more and more people who will be on the unemployment lines. Looking at what the federal minister was saying today, unemployment insurance may be shooting itself in the foot as well; there may be nothing there. So these people will have nothing.

Minister, you have tried to carve out—you and your cabinet and the Premier, I'm sure, because he's as responsible as you are, he's the guy in cabinet who can say yea or nay to these things. He's prepared to allow you to go forward with this type of bill that, number one, starts off with a purposive clause that will change the jurisprudence that has been formulated over a vast number of years by the Ontario Labour Relations Board, where decisions were made that were pretty reasonable. You're going to attempt through that simple introduction of a preamble or a purposive clause to change, to reverse, to turn the clock back.

Can you imagine what impact that has on people in business who create the jobs in terms of establishing in this community? They're going to say: "Hey, forget it. I'm not going to establish in Ontario. It's a place where the unions run the whole show."

I want to make something perfectly clear, Minister. We in the Liberal Party believe that workers have a right to collective agreements, that they have a right to have rights, but what you're creating here is a situation that is far more extended than that.

I would love dearly to speak at greater length on this, but because of these new rules that we have, these non-democratic rules, we will be called upon to vote on this issue, an issue that will affect Ontario dramatically. It will be dramatic. You will be responsible, Minister, for the loss of jobs of those people out there who have lost them through either your legislation or the Treasurer's legislation with the beer can stuff.

I'm going to be presenting a petition in the House tomorrow—if I had had time and hadn't been constricted by these rules, I would have read these letters into the record—which will be from a whole host of people who are rank and file union people, and those people who are also union leaders, who have written to me and I'm sure to all the members of the opposition, saying: "Minister, the bill is bad. The bill is bad. Don't pass it as it is."

What you're asking us to do and what your government, the New Democratic Party government, wants us to do—they say, "Well, it's only second reading; you'll get five weeks of committee hearings." We all know that that's the great lie that's perpetrated on the people of Ontario. Second reading is for approval in principle of that bill and everything that's in it and we can go off on trips around this province and listen to the public until the cows come home and in all likelihood the bill is going to be exactly the same as the principle of the bill that is established today.

I'm going to close, because my other colleagues want to speak on this matter, by saying don't let your personal desires rule in terms of what will happen to the workers of this province. You are part of a government; you are not the government. You have a responsibility to listen. You have a responsibility to ensure that these jobs are safeguarded. If you don't do that, Minister, you may well have

accomplished what you think is your ultimate goal in life but you will, by doing that, have taken jobs away from people, the food out of families' mouths and the opportunities that any young people will have to get a decent job in this province in the future.

I suggest you think hard, long and fast about that before you continue to press forward this legislation in its present form.

The Acting Speaker: Further debate.

Mr Leo Jordan (Lanark-Renfrew): It certainly is a privilege this afternoon to have the opportunity to say a few words on Bill 40 in representation of a large, predominantly rural riding. As serious as this bill is to the larger, more densely populated and industrialized ridings, it's very serious to a rural riding such as the one I represent, Lanark-Renfrew. I can tell you the amount of mail I have received on this issue, some of which I have brought with me today. Not one letter, not one comment that I have received is in favour of Bill 40.

I know I don't have time to dwell too much on the correspondence, but I would like to refer to some of it. I would like to touch on four main items regarding this bill, and first of all, the large numbers of job losses that are certainly going to occur, particularly in my riding. My riding depends on small manufacturing and small business. The remainder of the riding is the tourist industry and the agricultural industry. I don't know why any government would choose this time for this bill. This bill is not a requirement at any time. I have yet to receive a letter from a union member stating he needs more rights, more power and more protection from management.

I receive mail every day asking us to encourage the government to come forward with some kind of positive legislation that will restore some confidence in Ontario and certainly some confidence in a riding such as mine. People wanting to start a small business today would be insane to even think of it. They'd be far better to find themselves a job under the protection of some large union.

The sad part is that this bill is not going to give power to the membership; it's going to give power to the union leaders. It's going to give power to the union leaders so they will have the power to dictate to management, large or small. You can imagine what that's going to do, just starting in my riding with the tourist industry. It cannot survive. The tourist industry is diversified. I see the Minister of Tourism and Recreation leaving now. He well knows many of the tourist sites in the riding of Lanark-Renfrew and that they need some grants to keep them going, to start new projects—certainly not labour legislation.

1720

The stranglehold on small business has reached the stage of almost hysteria in my riding. They actually fear this legislation because of the consequences they see coming from it. The minister says we are misinterpreting his bill, but the truth is that the power that's going to be given to the unions when this bill becomes law means that management will be subject to them in most instances.

I read from the Arnprior Customs Brokers. He says: "Please use every means short of a criminal act to kill the

NDP's plan to reform our Labour Relations Act. If these changes go through, the province has not seen anything yet on job losses compared to what will take place," following passage of this bill. "The NDP must be held in check until the next election and they must be prevented from ruining this province more than they have already." That's signed by the president.

Their concerns generally are the shifting of investment, not only out of Lanark-Renfrew, although we have several plants that are closed. It's not only the shifting of investment out of the riding, out of Ontario, but the hesitancy, the lack of confidence of new industry to establish in Ontario, and especially to come to a rural riding such as ours. The confidence isn't there in this government that it will give them the freedom to start, the freedom to develop and the freedom to provide jobs that we so badly need in our riding.

I'm limited for time and I would like to read a few more of the many mail articles I've received. This is one from the retail industry and business community stating they have been "hit hard in this province. There are many in our community that are just holding on. If this labour legislation is passed it will be one more nail in their coffin and many will not survive. They will choose to just close up shop and many will choose to move out of the province or out of Canada."

The irony of the time and the money spent on this bill, preparing the bill, presenting the bill at such a late time in the term of this Legislature before adjourning, tells us that either the government doesn't realize the effects of this bill on business and industry or else they would prefer to be sent the bill now and travel the province during vacation time when people are reluctant to give up their families and come out and make their views known, or they just want to do it.

Maybe it's staged this way. The minister probably has a plan to bring the bill forward in this manner with limited debate, with a short time for committee work and get the bill into law. It's a very undemocratic approach and it is hoped that perhaps the minister will consider his position on the bill. I know he's been listening to the union bosses, but I'm afraid not the rank-and-file membership as I know them in my riding.

The bill actually represents a historic leap into a pit of economic ruin. It will bring forth massive job losses, diminished worker rights and increased union power for the leaders, and all of this comes at the expense of business. Those who have the initiative and ability to create jobs in Ontario will be viciously curtailed by Bill 40.

The freedom to do business in Ontario will soon cease to exist. This freedom will be replaced with the greatest shift of power to organized labour since this province was formed. Along with this shift comes the inevitable exodus of business out of the province. From my constituency and from around this province, our business leaders shudder at the devastating effect this labour legislation will have upon themselves, their workers, the economy of Ontario and, in particular, the riding of Lanark-Renfrew.

Mr Gregory S. Sorbara (York Centre): I guess I should say at the outset that it's an ironic pleasure for me to be able to wind up this debate on what I consider to be a

very important, and certainly a very controversial, piece of legislation.

I want to begin by saying that I regret that the government was so terribly fearful of the impact of this legislation that not only was it forced to bring in time allocation for this piece of legislation, but it indeed changed the very rules of this Parliament on a permanent basis as an exercise of its muscle and determination to exact its will in this Parliament on a timetable that it now uniquely sets.

The other irony for me, in concluding the debate on this piece of legislation, is that I do so now as a member of the opposition obviously, but also as a former Minister of Labour. I think within that context, at least in some respects, I'm able to understand, perhaps in a way not available to other members of the Legislature, both government and opposition members, what this debate, this piece of legislation and the Ontario Labour Relations Act really are all about.

I want to repeat here, in commencing my remarks, what I've said on a number of occasions about this piece of legislation, that is, that there are some extremely good things about it and that there are some rather bad, some rather poorly crafted aspects of it. Because this is the debate on the general principle of the bill, I am not going to go into the details of that analysis, save and except that I want to put on the record my support for those provisions of the bill that deal with the serious, and I think up until now intractable, problem of contracting out. I'm not going to go into the details or explain that to members of the House or individuals watching. I just want to say to the minister that I'm glad he has included some solutions to that problem in this bill.

The other thing I regret is that the debate that has gone on around Bill 40 has somehow devolved into a debate on whether or not the trade union movement, as it's described, or collective bargaining, as it's legally known, is or is not a good thing. Far too often, I have heard critics of this legislation say that the problem is with the trade union movement. I've heard some people suggest that what we need to do is develop an economy that doesn't have a trade union movement or has only the basic, rudimentary framework of a trade union movement. I say to members of this House that, to the extent people are taking that position, I simply disagree with them.

The reality, if you look at economies all over the world, is that those economies that are strong, that are thriving, that are leading in all of the leading-edge technologies and the developing economies are those that have a high degree of respect for the collective bargaining process and the trade union movement.

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I also want to point out that the trade union movement not only in Ontario but throughout North America is suffering very severely, and it doesn't have to do with this recession. It doesn't have to do with the economic downturn. In fact, for those who are interested in the subject, I would refer them to a lecture given by Dr Paul Weiler, a native of Thunder Bay, now a professor at Harvard University and one of Canada's pre-eminent experts on issues relating to the workplace. He gave a lecture at the Univer-

sity of Toronto's law school back in late 1989, the Larry Sefton lecture. Larry Sefton is a well-known trade union leader in Ontario and in Canada.

At that time Dr Weiler made the point, and he made it quite clearly, that if trends continue in the United States, by the turn of the century and the millennium there may not be a trade union movement in the US, that membership was so low that the impact of those who represented workers was becoming so ineffectual that unless the trend changed, the trade union movement might well disappear in the US economy. For those who say we should bring about the same conditions here, I simply once again say that I disagree.

What are the circumstances with the trade union movement in Ontario? We are seeing some of the very same trends here as have been exhibited in the US over the past 10 or 15 years. There is no doubt in my mind that the Minister of Labour has brought forward this bill in order to ensure himself that the trade union movement which is now failing and faltering in Ontario gets some sign of life back into it.

Let me just explain to you, sir, how bad circumstances are. Remember, the trade union movement is not some mystical organization. In many senses it's a business like any other business that's carried on in Ontario. During this recession there have been hundreds of thousands of jobs that have been permanently lost. Of those, I think it's a conservative estimate to say that probably 100,000 or perhaps 120,000 trade union jobs have disappeared and will never come back—100,000 jobs, for purposes of argument.

If you remember for a moment that the average union dues paid by a trade union member are roughly \$500 a year, based on two hours per month—if you are a member of a trade union, the rough figure is that you work two hours per month to pay your union dues. At an hourly salary of \$25, you can roughly figure that we're talking in the ballpark of \$500 a year in lost union dues per union job lost.

Interjection.

Mr Sorbara: Just do the multiplication; it's pretty simple: \$50 million per year lost to the trade union movement over the course of this recession. They are hurting very badly financially.

What the Minister of Labour has not acknowledged in this debate is that he himself is terribly worried about the trade union movement, its loss of membership, its loss of union dues and its own ability to pay its bills. So he wants to expand the ability of trade union organizations, representatives of workers, to delve into new markets. I appreciate that and I think in some respects he is approaching the subject from the right perspective. But there is another part of this story that hasn't been told at all.

I put it to you, sir, that if a Liberal government were bringing forward amendments to expand the jurisdiction or the marketing ability of the trade union movement, it could do it with clean hands. I even put it to you, sir, that if a Conservative government were bringing forth amendments to the labour act to expand the horizons and the ability to

organize of the trade union movement, it could do it with clean hands. But ask yourself the question: Can the New Democratic Party do the same thing without at some point during the debate declaring publicly in this Legislature, declaring publicly to any person who cared to listen that the New Democratic Party is in fact a party which is partially owned, if I can use that term, by the trade union movement, by the labour movement?

Not once has the Minister of Labour, not once has the Premier, not once has the president of the New Democratic Party brought that issue to this Legislature or to their own councils or anywhere else. You just have to take the constitution of the New Democratic Party—and if you read it, it's not a very long document; it's actually rather a short constitution—you will see that the really powerful body in the New Democratic Party is a body referred to in article 9 as the provincial council. That council is made up of some 300 members.

I have been asking for a month for anyone who might have access to a list of members of the provincial council of the New Democratic Party to provide me with a list of the members of that council. I have been refused at every turn, both by the New Democratic Party and by members, by individual riding associations. But if you look at the constitution and you count the numbers, you see that the majority of the members of the provincial council are appointed by virtue of their affiliation with a trade union. If you just think about it for a second, it represents one of the most glaring and startling conflicts that could ever be brought to this Legislature.

I was brutally made aware of that about a month ago when the New Democratic Party was having its annual convention in Hamilton. I paid a brief visit there.

Hon Gilles Pouliot (Minister of Transportation): Yes, the one you tried to crash.

Mr Sorbara: The member opposite says I crashed it. I paid a brief visit there. Someone asked me to leave and I did. But in the middle of this debate over amendments to the trade union act, Bob Rae's trade union bill, I got to the floor where the convention was being held. I looked at the television screen, and who was there chairing the meeting but Gord Wilson, who is the president of the Ontario Federation of Labour.

Gord Wilson has a distinct pecuniary interest in getting this bill passed. He's lost, this year alone, \$50 million in union dues. If this trend continues and if the disintegration of the trade union movement continues, he is liable to lose another \$50 million in union dues. This money pays his salary. A small fraction of this money goes from the pocket of a worker into the trade union, into the local. A trickle of it goes into the coffers of the New Democratic Party. We should be talking about that here. We should at least be acknowledging it. A conflict is only a criticism where it is not acknowledged, but no one will talk about it; no one will raise the issue; no one will provide the list of trade union members who sit on the provincial council of the New Democratic Party.

I reiterate that what we're talking about here is a business, the business of representing workers in their work-

place, which is a very important business. Every industrialized and post-industrial economy needs to have a vibrant trade union movement. That movement in Ontario now is failing. It is losing money as fast as the most seriously threatened business is losing money in the province.

But the New Democratic Party, when it brings a bill here to expand the trade union movement and to give it new opportunities to organize in new areas, does not once mention that its political party is owned, by way of majority shareholders on the provincial council, by the trade union movement, by those who will benefit from this expanded ability to organize.

1740

I say to the members of the governing caucus, until you bring that issue to this Parliament and make the necessary disclosures and tell us what fraction of the funds will be garnered into the trade union movement by this expanded activity, until you disclose that, then you have not come to this Parliament with clean hands. I remember when I was Minister of Labour, Gord Wilson, for whom I have a great deal of respect, used to refer to the New Democratic Party as "our political wing," that is, the political wing of the trade union movement.

I'm not surprised that you're here doing the business of those who have a majority position on your provincial council. I simply say to you that until you acknowledge that to the people of Ontario, you have not had entirely clean hands in the presentation of this bill.

One simply has to be suspicious that on the day this bill was presented back on June 4, at the very same time, the rules of this Parliament were changed to ensure expeditious passage. One has to be rather suspicious that the Ontario Federation of Labour has from the beginning of this exercise operated entirely behind the scenes but is clearly responsible for orchestrating the entire exercise.

I know that many of the amendments that are contained in this bill have virtually been written by those who work for the Ontario Federation of Labour and I don't think that's a terrible thing. I think it simply ought to be acknowledged so that people can make a fair evaluation.

I know there are many things in this bill that are not particularly the direction that the Ontario Federation of Labour would have chosen, but I can assure the people of this province of one thing and that is that this bill did not get final approval at the cabinet table in this province until the Ontario Federation of Labour had signed off on it.

The fact that the Ontario Federation of Labour is also the organization in the province which has virtual control of the New Democratic Party gives me pause to consider whether or not we should be supporting this piece of legislation. As far as the details are concerned, as I said at the opening of my remarks, many of them are worthy of support and many of them ought not to be supported in this Parliament.

On balance I for one am going to vote against the bill. I'm going to vote against the bill because I think on balance those things that are detrimental overall to the economy of the province outweigh those things that would spur on the ability of workers to realize their full potential in the workplace.

I close where I began and that is simply to say that this government party, this party which throughout its history has been the political expression of the trade union movement, ought properly to have made appropriate disclosures of conflict before bringing this bill into the Legislature. I regret they did not do that. I think at some point that issue ought to be brought forward when the bill is considered in committee. I regret that this debate has now come to a conclusion.

I simply close by saying I don't think it was necessary for this Parliament and the government House leader to use the drastic measure of time allocation to ensure this debate was closed off now. We could have had an opportunity to further express ourselves. There were a number of members in our caucus who simply did not get an opportunity to put their views on the record and frankly very few government members spoke on the bill, whether in favour or opposed.

I think the fact that we are now ready for a vote and the minister has not had an opportunity to sum up the bill is a sign of how things have deteriorated here. I for one, sir, would be willing to propose to you that we give unanimous consent for the minister to make perhaps two minutes in concluding remarks.

The Speaker (Hon David Warner): By order of the House from yesterday, there must be a vote on Bill 40. The members are to be called in and there will be a 15-minute bell.

1800

The House divided on Mr Mackenzie's motion, which was agreed to on the following vote:

Ayes—62

Akande, Allen, Bisson, Boyd, Buchanan, Charlton, Christopherson, Churley, Cooke, Cooper, Coppen, Drainville, Farnan, Ferguson, Fletcher, Gigantes, Haeck, Hampton, Hansen, Harrington, Haslam, Hayes, Hope, Jamison, Johnson, Klopp, Kormos, Lankin, Laughren, Lessard, Mackenzie, Malkowski, Mammoliti, Marchese, Martel, Martin, Mathysen, Mills, Morrow, Murdock (Sudbury), North, O'Connor, Owens, Perruzza, Philip (Etobicoke-Rexdale), Pilkey, Pouliot, Rae, Rizzo, Silipo, Sutherland, Ward (Brantford), Wark-Martyn, Waters, Wessenger, White, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Winner, Wiseman, Wood, Ziemba.

Nays—40

Arnott, Beer, Bradley, Brown, Callahan, Caplan, Carr, Cleary, Conway, Cousens, Eddy, Eves, Fawcett, Grandmaître, Harnick, Harris, Jackson, Jordan, Kwinter, Mahoney, Mancini, Marland, McClelland, Morin, O'Neil (Quinte), O'Neill (Ottawa-Rideau), Phillips (Scarborough-Agincourt), Poirier, Poole, Runciman, Ruprecht, Sorbara, Sterling, Stockwell, Sullivan, Tilson, Turnbull, Villeneuve, Wilson (Simcoe West), Witmer.

Bill ordered for standing committee on resources development.

The Speaker: It being beyond 6 of the clock, this House stands adjourned until 10 of the clock tomorrow morning.

The House adjourned at 1804.

**LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor/Lieutenant-gouverneur: Lt Col The Hon/L'hon Henry N. R. Jackman CM, KStJ, BA, LLB, LLD

Speaker/Président: Hon/L'hon David Warner

Clerk/Greffier: Claude L. DesRosiers

**Clerk Assistant and Clerk of Committees/Greffier adjoint et Greffier des comités: Smirle Forsyth
Clerk Assistant and Clerk of Journals/Greffier adjoint et Greffier des journaux: Alex D. McFedries**

Sergeant at Arms/Sergent d'armes: Thomas Stelling

| Constituency | Name of member | Party | Other responsibilities |
|-----------------------|---------------------------|-------|--|
| Algoma | Wildman, Hon/L'hon Bud | ND | Minister of Natural Resources, minister responsible for native affairs/ministre des Richesses naturelles, ministre délégué aux Affaires autochtones |
| Algoma-Manitoulin | Brown, Michael A. | L | Chair, standing committee on general government/ Président du Comité permanent des affaires gouvernementales |
| Beaches-Woodbine | Lankin, Hon/L'hon Frances | ND | Minister of Health, minister responsible for substance abuse strategy/ministre de la Santé, ministre déléguée à la Stratégie pour la prévention de la toxicomanie |
| Brampton North/-Nord | McClelland, Carman | L | Vice-Chair, standing committee on general government/ Vice-Président du Comité permanent des affaires gouvernementales |
| Brampton South/-Sud | Callahan, Robert V. | L | |
| Brant-Haldimand | Eddy, Ron | L | |
| Brantford | Ward, Brad | ND | parliamentary assistant to Minister of Industry, Trade and Technology, responsible for trade and technology/ adjoint parlementaire du ministre de l'Industrie, du Commerce et de la Technologie et délégué au Commerce et à la Technologie |
| Bruce | Elston, Murray J. | L | opposition House leader/ chef parlementaire de l'opposition |
| Burlington South/-Sud | Jackson, Cameron | PC | Chair, standing committee on estimates/ Président du Comité permanent des budgets des dépenses |
| Cambridge | Farnan, Mike | ND | Vice-Chair, standing committee on the Legislative Assembly/ Vice-Président du Comité permanent de l'Assemblée législative |
| Carleton | Sterling, Norman W. | PC | |
| Carleton East/-Est | Morin, Gilles E. | L | Deputy Speaker and Chair of the Committee of the Whole House/ Vice-Président et Président du Comité plénier de l'Assemblée législative |
| Chatham-Kent | Hope, Randy R. | ND | parliamentary assistant to Minister of Community and Social Services/adjoint parlementaire du ministre des Services sociaux et communautaires |
| Cochrane North/-Nord | Wood, Len | ND | parliamentary assistant to Minister of Natural Resources/ adjoint parlementaire du ministre des Richesses naturelles |
| Cochrane South/-Sud | Bisson, Gilles | ND | parliamentary assistant to Minister of Northern Development and Mines, parliamentary assistant to minister responsible for francophone affairs/adjoint parlementaire de la ministre du Développement du Nord et des Mines, adjoint parlementaire du ministre délégué aux Affaires francophones |
| Cornwall | Cleary, John C. | L | |
| Don Mills | Ward, Margery | ND | parliamentary assistant to Minister of Government Services/ adjointe parlementaire du ministre des Services gouvernementaux |
| Dovercourt | Silipo, Hon/L'hon Tony | ND | Chairman of Management Board of Cabinet, Minister of Education/président du Conseil de gestion du gouvernement, ministre de l'Éducation |
| Downsview | Perruzza, Anthony | ND | parliamentary assistant to Minister for Skills Development/ adjoint parlementaire du ministre de la Formation professionnelle |
| Dufferin-Peel | Tilson, David | PC | |
| Durham Centre/-Centre | White, Drummond | ND | Chair, standing committee on regulations and private bills/ Président du Comité permanent des règlements et des projets de loi privés |
| Durham East/-Est | Mills, Gord | ND | parliamentary assistant to Minister of Municipal Affairs/ adjoint parlementaire du ministre des Affaires municipales |
| Durham West/-Ouest | Wiseman, Jim | ND | parliamentary assistant to Minister of Correctional Services/ adjoint parlementaire du ministre des Services correctionnels |
| Durham-York | O'Connor, Lawrence | ND | parliamentary assistant to minister responsible for the greater Toronto area/adjoint parlementaire de la ministre responsable du Bureau de la région du grand Toronto |
| Eglinton | Poole, Dianne | L | |
| Elgin | North, Hon/L'hon Peter | ND | Minister of Tourism and Recreation/ ministre du Tourisme et des Loisirs |
| Essex-Kent | Hayes, Pat | ND | parliamentary assistant to Minister of Agriculture and Food (agriculture)/adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation (agriculture) |

| Constituency | Name of member | Party | Other responsibilities |
|---|---------------------------|-------|---|
| Essex South/-Sud | Mancini, Remo | L | Chair, standing committee on public accounts/ Président du Comité permanent des comptes publics |
| Etobicoke-Lakeshore | Grier, Hon/L'hon Ruth A. | ND | Minister of the Environment, minister responsible for the greater Toronto area/ministre de l'Environnement, ministre responsable du Bureau de la région du grand Toronto |
| Etobicoke-Humber | Henderson, D. James | L | |
| Etobicoke-Rexdale | Phillip, Hon/L'hon Ed | ND | Minister of Industry, Trade and Technology/ ministre de l'Industrie, du Commerce et de la Technologie |
| Etobicoke West/-Ouest | Stockwell, Chris | PC | |
| Fort William | McLeod, Lyn | L | Leader of the Opposition/chef de l'opposition |
| Fort York | Marchese, Rosario | ND | parliamentary assistant to the Premier, parliamentary assistant to Minister of Intergovernmental Affairs/adjoint parlementaire du premier ministre, adjoint parlementaire du ministre des Affaires intergouvernementales |
| Frontenac-Addington | Wilson, Hon/L'hon Fred | ND | Minister of Government Services/ ministre des Services gouvernementaux |
| Grey | Murdoch, Bill | PC | |
| Guelph | Fletcher, Derek | ND | parliamentary assistant to Minister of Consumer and Commercial Relations/adjoint parlementaire de la ministre de la Consommation et du Commerce |
| Halton Centre/-Centre | Sullivan, Barbara | L | |
| Halton North/-Nord | Duignan, Noel | ND | Chair, standing committee on the Legislative Assembly/ Président du Comité permanent de l'Assemblée législative |
| Hamilton Centre/-Centre | Christopherson, David | ND | parliamentary assistant to Treasurer of Ontario and Minister of Economics/adjoint parlementaire du Trésorier de l'Ontario et du ministre de l'Économie |
| Hamilton East/-Est | Mackenzie, Hon/L'hon Bob | ND | Minister of Labour/ministre du Travail |
| Hamilton Mountain | Charlton, Hon/L'hon Brian | ND | Minister of Financial Institutions, acting Minister of Energy/ ministre des Institutions financières, ministre de l'Énergie par intérim |
| Hamilton West/-Ouest | Allen, Hon/L'hon Richard | ND | Minister of Colleges and Universities, Minister of Skills Development/ministre des Collèges et Universités, ministre de la Formation professionnelle |
| Hastings-Peterborough | Buchanan, Hon/L'hon Elmer | ND | Minister of Agriculture and Food/ ministre de l'Agriculture et de l'Alimentation |
| High Park-Swansea | Ziemba, Hon/L'hon Elaine | ND | Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations/ministre des Affaires civiles, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales |
| Huron | Klopp, Paul | ND | parliamentary assistant to Minister of Agriculture and Food (food)/ adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation (alimentation) |
| Kenora | Miclash, Frank | L | opposition deputy whip/whip adjoint de l'opposition |
| Kingston and The Islands/ Kingston et Les Îles | Wilson, Gary | ND | parliamentary assistant to Minister of Culture and Communications/ adjoint parlementaire de la ministre de la Culture et des Communications |
| Kitchener | Ferguson, Will | ND | |
| Kitchener-Wilmot | Cooper, Mike | ND | deputy government whip; Chair, standing committee on administration of justice/whip adjoint du gouvernement, Président du Comité permanent de l'administration de la justice |
| Lake Nipigon/Lac-Nipigon | Pouliot, Hon/L'hon Gilles | ND | Minister of Transportation, minister responsible for francophone affairs/ministre des Transports, ministre délégué aux Affaires francophones |
| Lambton | MacKinnon, Ellen | ND | Vice-Chair, standing committee on regulations and private bills/ Vice-Présidente du Comité permanent des règlements et des projets de loi privés |
| Lanark-Renfrew | Jordan, W. Leo | PC | |
| Lawrence | Cordiano, Joseph | L | Vice-Chair, standing committee on public accounts/ Vice-Président du Comité permanent des comptes publics |
| Leeds-Grenville | Runciman, Robert W. | PC | Chair, standing committee on government agencies/ Président du Comité permanent des organismes gouvernementaux |
| Lincoln | Hansen, Ron | ND | Chair, standing committee on finance and economic affairs/ Président du Comité permanent des finances et des affaires économiques |
| London Centre/-Centre | Boyd, Hon/L'hon Marion | ND | Minister of Community and Social Services, minister responsible for women's issues/ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine |
| London North/-Nord | Cunningham, Dianne | PC | Progressive Conservative chief whip/ whip en chef du Parti progressiste-conservateur |

| Constituency | Name of member | Party | Other responsibilities |
|---|--------------------------------|-------|--|
| London South/-Sud | Winninger, David | ND | parliamentary assistant to Attorney General, parliamentary assistant to minister responsible for native affairs/adjoint parlementaire du Procureur général, adjoint parlementaire du ministre délégué aux Affaires autochtones |
| Markham | Cousens, W. Donald | PC | |
| Middlesex | Mathysen, Irene | ND | parliamentary assistant to Minister of the Environment/adjointe parlementaire de la ministre de l'Environnement |
| Mississauga East/-Est | Sola, John | L | |
| Mississauga North/-Nord | Offer, Steven | L | |
| Mississauga South/-Sud | Marland, Margaret | PC | Vice-Chair, standing committee on estimates/ Vice-Présidente du Comité permanent des budgets des dépenses |
| Mississauga West/-Ouest | Mahoney, Steven W. | L | chief opposition whip/whip en chef de l'opposition |
| Muskoka-Georgian Bay | Waters, Daniel | ND | parliamentary assistant to Minister of Tourism and Recreation; Vice-Chair, standing committee on resources development/ adjoint parlementaire du ministre du Tourisme et des Loisirs, Vice-Président du Comité permanent du développement des ressources |
| Nepean | Daigeler, Hans | L | Vice-Chair, standing committee on social development/ Vice-Président du Comité permanent des affaires sociales |
| Niagara Falls | Harrington, Margaret H. | ND | parliamentary assistant to Minister of Housing/ adjointe parlementaire de la ministre du Logement |
| Niagara South/-Sud | Coppen, Hon/L'hon Shirley | ND | Minister without Portfolio, chief government whip/ ministre sans portefeuille, whip en chef du gouvernement |
| Nickel Belt | Laughren, Hon/L'hon Floyd | ND | Deputy Premier, Treasurer of Ontario and Minister of Economics/ vice-premier ministre, Trésorier de l'Ontario et ministre de l'Économie |
| Nipissing | Harris, Michael | PC | leader of the Progressive Conservative Party/ chef du Parti progressiste-conservateur |
| Norfolk | Jamison, Norm | ND | parliamentary assistant to Minister of Industry, Trade and Technology, responsible for small business/adjoint parlementaire du ministre de l'Industrie, du Commerce et de la Technologie, délégué aux Affaires des petites entreprises |
| Northumberland | Fawcett, Joan M. | L | |
| Oakville South/-Sud | Carr, Gary | PC | |
| Oakwood | Rizzo, Tony | ND | |
| Oriole | Caplan, Elinor | L | |
| Oshawa | Pilkey, Hon/L'hon Allan | ND | Solicitor General, Minister of Correctional Services/ Solliciteur général, ministre des Services correctionnels |
| Ottawa Centre/-Centre | Gigantes, Hon/L'hon Evelyn | ND | Minister of Housing/ministre du Logement |
| Ottawa East/-Est | Grandmaitre, Bernard C. | L | |
| Ottawa-Rideau | O'Neill, Yvonne | L | |
| Ottawa South/-Sud | McGuinty, Dalton J.P. | L | |
| Ottawa West/-Ouest | Chiarelli, Robert | L | |
| Oxford | Sutherland, Kimble | ND | parliamentary assistant to Chairman of Management Board of Cabinet; Vice-Chair, standing committee on finance and economic affairs/ adjoint parlementaire du président du Conseil de gestion du gouvernement, Vice-Président du Comité permanent des finances et des affaires économiques |
| Parkdale | Ruprecht, Tony | L | |
| Parry Sound | Eves, Ernie | PC | Progressive Conservative House leader/ chef parlementaire du Parti progressiste-conservateur |
| Perth | Haslam, Hon/L'hon Karen | ND | Minister of Culture and Communications/ ministre de la Culture et des Communications |
| Peterborough | Carter, Jenny | ND | parliamentary assistant to Minister of Citizenship, responsible for human rights, disability issues, seniors' issues and race relations/ adjointe parlementaire de la ministre des Affaires civiques, déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales |
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| Prescott and Russell/ Prescott et Russell | Poirier, Jean | L | |
| Prince Edward-Lennox-South Hastings/ Prince-Edward- Lennox-Hastings-Sud | Johnson, Paul R. | ND | parliamentary assistant to Minister of Revenue/ adjoint parlementaire de la ministre du Revenu |
| Quinte | O'Neil, Hugh P. | L | |
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| Renfrew North/-Nord | Conway, Sean G. | L | Deputy Leader of the Opposition/chef adjoint de l'opposition |
| Riverdale | Churley, Hon/L'hon Marilyn | ND | Minister of Consumer and Commercial Relations/ ministre de la Consommation et du Commerce |
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| St. Catharines-Brock | Haeck, Christel | ND | government whip; Vice-Chair, standing committee on the Ombudsman/ whip du gouvernement, Vice-Présidente du Comité permanent de l'ombudsman |
| St. George-St. David | Scott, Ian G. | L | |
| Sarnia | Huget, Bob | ND | parliamentary assistant to acting Minister of Energy/ adjoint parlementaire du ministre de l'Énergie par intérim |
| Sault Ste Marie/ Sault-Sainte-Marie | Martin, Tony | ND | parliamentary assistant to Minister of Education/ adjoint parlementaire du ministre de l'Éducation |
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| Scarborough Centre/-Centre | Owens, Stephen | ND | parliamentary assistant to Minister of Financial Institutions/ adjoint parlementaire du ministre des Institutions financières |
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| Scarborough-Ellesmere | Warner, Hon/L'hon David | ND | Speaker/Président |
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| Scarborough West/-Ouest | Swarbrick, Anne | ND | |
| Simcoe Centre/-Centre | Wessinger, Paul | ND | parliamentary assistant to Minister of Health/ adjoint parlementaire de la ministre de la Santé |
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| Sudbury | Murdock, Sharon | ND | parliamentary assistant to Minister of Labour/ adjointe parlementaire du ministre du Travail |
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| Windsor-Walkerville | Lessard, Wayne | ND | parliamentary assistant to Minister of Colleges and Universities/ adjoint parlementaire du ministre des Collèges et Universités |
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| York East/-Est | Malkowski, Gary | ND | parliamentary assistant to Minister of Citizenship, responsible for human rights, disability issues, seniors' issues and race relations/ adjoint parlementaire de la ministre des Affaires civiques, déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales |
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**Legislative Assembly
of Ontario**

Second Session, 35th Parliament

**Official Report
of Debates
(Hansard)**

Thursday 16 July 1992

**Assemblée législative
de l'Ontario**

Deuxième session, 35^e législature

**Journal
des débats
(Hansard)**

Jeudi 16 juillet 1992



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 16 July 1992

The House met at 1003.

Prayers.

ORDERS OF THE DAY

PRIVATE MEMBERS' PUBLIC BUSINESS

BRITISH PENSIONS

Mr Mills moved resolution 16:

That, in the opinion of this House, recognizing that there are a large number of British old age pensioners residing in Ontario who are, in many cases, entirely dependent upon pensions earned through their contributions made while working in the United Kingdom, and that these pensioners suffer deprivation and discrimination in that the amount of their pension incomes were frozen to the rate in force when first commenced, in contrast to British pensioners in other jurisdictions whose pensions have been indexed to the cost of living, the government of Ontario should (a) petition the government of the United Kingdom in the name of those ideals of justice and human rights to review immediately their policy pertaining to pensioners living in Canada and thus the province of Ontario, to abandon the damaging inaction of the past 13 years and return to the table to resume discussions with the government of Canada over the long-sought, wide-ranging social security reciprocal agreement which will bring into force the indexation of British old age pensions in this country and province, and (b) petition Her Majesty the Queen to request Her Royal Highness's intercession with her ministers to rectify this manifest injustice.

Mr Gordon Mills (Durham East): This morning I am pleased to rise in my place to speak to my resolution, which addresses a matter of considerable concern to thousands of our senior citizens who have come to live in Ontario and other parts of Canada from the United Kingdom and who are deprived of their rightful, fully indexed pensions which they have earned in the United Kingdom.

Resident in the province of Ontario are about 60,000 men and women who have all been treated not only unfairly but, more to the point, unjustly by the government of the United Kingdom. All British old age pensioners living in Ontario are indeed saddened by the British government's complaint that it can't afford the large sum to update fully British pensions in Canada. The annual pension bill in Great Britain is about £28.5 billion. They say they have no money to pay the expatriates, yet in five minutes or so, they managed to drum up billions of pounds for the Gulf war in defence of principle, honour and justice.

The Monty Python Ministry of Nonsensical Notions, through the Bouncillor of the Exchequer, under the direction of the Wry Minister, has decreed that the well-known national interest, not necessarily the interest of its nationals, requires that there be haves and have-nots; the have-nots to be the 110,000-odd compatriots, no more and no less, who may have crewed the same tank, served on the same

destroyer, served on the same anti-aircraft post, shovelled the same incendiary bombs off the same rooftops, tilled the same fields, worked on the same wartime factory assembly line and, perhaps above all, made the same contributions to the same pension fund, the same national insurance fund.

I want to turn for a few moments to speak to health care costs as they relate to British old age pensioners now living in Ontario and indeed throughout all of Canada. I think the comparison is an important point in this debate.

The United Kingdom government estimates that to fully index the pensions of the recipients living in Canada is about £100 million each year. Based on health care estimates, if all the British pensioners were to return to the United Kingdom next week, they would not only qualify immediately for fully indexed pensions but the estimate of their health care costs would be a staggering £900 million. These costs, together with the increased pensions, amount to a total of £1 billion. To claim that the £100 million to index pensions is unaffordable for the British government, given the facts, is nothing less than an affront to reason.

British pensioners from the United Kingdom now resident in one of the so-called favoured countries, for instance in the United States, Germany or Italy, continue to receive fully indexed pensions from Great Britain. This senseless discrimination has prevented many elderly British pensioners from joining their families and their loved ones in Canada because their pride will not allow them to become a burden to their family members, a burden that is bound to occur the longer they live past the very first year of their arrival here. Many more pensioners have died while waiting for the decision for a fair, universally indexed British pension, parted from their loved ones in their twilight years.

1010

I'm going to make brief reference to a Mrs June Borsberry, living at this time in North Devon, England. This lady, in her twilight years of life, is waiting to come to Toronto to be with her son but is prevented from doing so for precisely the same reasons I have just made reference to. This situation is appalling and an example of what I shall term frozen justice.

Another example involves a woman who recently moved to the United States from Canada. This woman advised the pension office in London of her change and was advised by that same pension branch office in Newcastle that her pension would now be fully indexed as she had moved away—believe this, Mr Speaker—from the Commonwealth. We see everyday examples of a world gone crazy. I don't have to say any more about the incident I've just outlined to you.

Some time ago a prominent British politician wrote a letter to a British pensioner living in Canada. That letter was sent to a Mr Will Brown of Oakville. The writer said:

"I fully appreciate and sympathize with your sense of unfairness at the way in which British expatriate pensioners

living in Canada are treated. I know of no reason in equity why those who have chosen to live in one of the dominions, many of whom have served their country in war, should be denied the uprating of their pensions, which they would have been entitled to if they remained in the United Kingdom."

The letter-writer goes on to say: "The truth is, you should get a bonus for relieving the British taxpayer of responsibility for your care and medical treatment in your old age." The writer of that letter was Winston S. Churchill.

Over the years, thousands of letters have been sent to British ministers of the crown and to MPs in the British House of Commons from British old age pensioners and their families. These letters haven't yet been able to create an irresistible impact. Not trying to overstate the matter, the British government, like most contemporary governments around the world, has allowed expediency to pre-empt principle.

It is vital that the present pressures on the British government be increased. The whole point of my referendum today is to increase that pressure to prevent them from riding out the mass storm of protest. The policy may be seen as an irrational policy approach, but the British government, once considered the doyen of rational and commonsense behaviour, seems to have deserted its tradition.

In conclusion, I am asking for the unanimous support of all members of all parties in this House to my resolution today. Personally I find the situation of British old age pensioners, both those living in Ontario and indeed throughout all of Canada and those waiting to come to spend their twilight years with their loved ones, linked with discrimination. It is a disgrace to the tradition which many of us have grown up with, and you too, Mr Speaker. I know your traditions; I know your heritage.

Many of us have grown up within a country which has always prided itself on common sense and embraced the practice of logical and rational behaviour. This is the crux of this resolution. I'm going to wait and listen intently to the remarks of my colleagues on the government side and in both opposition parties. I implore everybody in the House today and those who will come later on around 12 o'clock to vote on this motion to support this because we have to do something about this dreadful situation.

I had a letter that was placed on my desk this morning. I'll use up my last 54 seconds to summarize it. It's from the Salvation Army at Toronto Grace Hospital to the social benefits folks in Newcastle-upon-Tyne. It says that a lady came over here on a visit and had a stroke. Her pension was not only frozen but her supplement was also taken away. While she was here and could not go back to the United Kingdom, this lady's family continued to pay \$576 a month to uphold their mother in an institution, because the British government had deserted her and cut off all pensions and supplements. I find that single injustice terribly discriminating and unacceptable to me and my colleagues here this morning.

The Acting Speaker (Mr Noble Villeneuve): The honourable member for Durham East will have two minutes in summation at the termination of the debate.

Mr Robert V. Callahan (Brampton South): First of all, I want to say I am going to support this resolution.

[Interruption]

Mr Callahan: Don't clap too soon.

The Acting Speaker: I wish to advise our visitors that indeed they're most welcome, except that a demonstration such as applause is not tolerated. We would ask you to please refrain from applauding.

Mr Callahan: Can I have the clock rolled back, Mr Speaker? I lost time while that admonition was being given.

I applaud my colleague the member for Durham East for bringing this motion forward. It is certainly a most worthy one. I always have an open and advocating heart with reference to seniors, because these people have worked and put in the years that have created many of the things you and I are enjoying and our children will enjoy.

Having said that, I have to go first to the question of how the structure of this House works so these people do not think that if this receives the unanimous consent or support of the House today anything will happen. We all know the process in this House in private members' hour. It's almost to the point where you might abolish private members' hour, because it never gets anywhere.

Mr Randy R. Hope (Chatham-Kent): Come on now, don't be so cynical.

Mr Callahan: It's not a question of being cynical at all.

My colleague the member for Carleton East introduced Bill 54, which received second reading in this House in December 1991. Mr Speaker, you will remember that bill because it was an admirable one. It's a bill that he now fights each day by a statement in the House to get the government House leader to call forward for third reading. The bill basically says that cheque cashing operations, such as you see in Las Vegas, which are open 24 hours a day and are charging seniors as well as other people fees to cash their cheques, should be regulated and there should be certain cheques on which there should be no fees payable. That bill got second reading in this House, which is approval in principle, with the unanimous vote of this House. It has never been called for third reading by the government House leader of the New Democratic Party.

I want you people to understand that what happens here today—and I applaud my colleague the member for Durham East for bringing it forward—is really something that depends upon the whim of the government House leader. If he doesn't call it forward, nothing will happen.

I can tell you there's only one bill in this House that has ever been brought forward, and it was brought forward by a person who is now one of the spin doctors on the second floor, Mr McClellan. It was a bill to advance daylight saving time by one week. That's the only bill in private members' hour that has ever been taken through third reading and given royal assent.

I want you to understand that. I don't believe in fooling people. I believe people should understand what the rules are. As I said, I'm going to support it and I hope the government House leader does take that. It's a simple matter of petitioning the United Kingdom to give you people

equity. But I'm telling you that this hour really could be abolished. When we were in government, private members' hour was a free vote. We were entitled to move anything. We never tried to whip the vote.

You watch over here. If there's something against the government policy, they will all vote as though they're joined at the hip.

Mr Hope: If he made sense we'd probably listen to him.

1020

The Acting Speaker: Order, please. I want to remind all members that interjections are out of order. I would also like to advise the honourable member to address his remarks to the Chair.

Mr Callahan: I'm getting back to the bill. I now want to go back to why I think it's so important—not just because of the inequity that has been discussed by the member for Durham East, about the fact that these people worked for their pensions and that every other British dominion indexes the pensions and the effect it has on either their existence here or coming here to stay in this country—because their lot becomes even more cruel by the things that are happening to seniors. For instance, we haven't heard it yet, but I'm sure there will be a speculation tax brought out in the next budget which will tax the most significant asset that seniors have: their homes. If that happens then this asset that has accrued in value, which may be their only asset and may be the thing that's going to keep them in their golden years, will be taxed by the government.

The second thing is inheritance tax. I believe there is inheritance tax in existence in England. There was inheritance tax existing in Ontario and in Canada about 10 or 15 years ago. It was abolished because it was considered to be unfair, particularly to people who had amassed an estate and wished to have the opportunity to pass it on to their loved ones. I can tell you that you can look forward, unfortunately, to one of the budgets coming down from this government that will reinstitute inheritance tax and will institute speculation tax. That will impinge on the amount of money you have to survive on as well.

In addition to that, you look at the track record of this government in terms of what it has done for seniors. I know a lot of seniors and I'm getting pretty close to that myself, so I'm trying to pad my own existence. Seniors used to be able to go to provincial parks, I believe, for free. A lot of them like to travel in trailers and go to the parks. This government has increased the fees for those provincial parks for seniors. Seniors are now allowed to get in free into Ontario Place. The problem is, it costs you \$9 to park. It used to be that seniors got in free at Ontario Place and there was no parking charge, or it certainly was a lot less than \$9.

You look at the question of the federal government giving us all a break in terms of our taxes, and this government in its last budget took all of that money back by upping the Ontario portion of the provincial income tax. So in fact what happened was the federal government, and I don't speak for it, tried to give you a tax break. They picked it up. They picked up not just that but a bit more.

I look at the question of OHIP. Some of you people may travel outside of Ontario. We're trying to get the health care costs under control. That makes sense; I can support that. But hey make an announcement privately that if you stay out of the country the length of time you used to stay out suddenly your OHIP premiums disappear. They didn't bother to tell the seniors about that.

As I said to the Minister of Health in the House: "That is a devastating thing to do to seniors. What if they got ill down in Florida or someplace in the world and weren't aware that the time frame had been shortened? They would be left totally without health coverage." That certainly doesn't augur well in my mind in terms of what this government feels about seniors.

You look at the question of drug costs. You've now got a double-digit attack. You've got the federal government passing particular legislation and also a number of drugs that are available for use by seniors are being removed from the formulary. I've had letters in my office from people who are seniors and require a specific drug and it's been taken off the formulary. They can't get it. If they want it, they have to go out and pay the full cost or maybe buy a name brand, and it's even higher.

I suggest to you that there are a lot of things that really have not been done for the benefit of seniors. That's why I'm supporting this. I think you people deserve that extra pension. You're going to need it, because I'm suggesting to you that if the track record of this NDP government continues in its present vein it will be picking your pocket more and more. You're going to need all those extra dollars, so I'm strongly in support of that.

Mr George Mammoliti (Yorkview): Give us a break, Bob.

Mr Callahan: The member says, "Give us a break." There's one thing in politics that I cannot be accused of by anybody in this House, and I challenge them to do it. It is that when I speak to people I don't try to play games with them or fool them. I tell them the full facts, and that's why I'm saying the things I am. It's not a question of trying to put down.

The member for Durham East is a fine gentleman. He has brought forward a motion that deserves the support of this House, as I've said right from the outset. But I think it's important that the seniors who are here and those who may be watching understand that the reason they need this extra money is because of the reasons I've given: that this government is picking away and taking away, bit by bit, the moneys that seniors have. Seniors are, in the main, on fixed incomes. Every time a government makes a decision that affects a senior citizen, it removes that safety measure that the seniors have. That's totally unfair. So I believe in putting the matter in perspective and letting these people know exactly what may happen in terms of this motion.

I certainly hope the government House leader is listening—he's not here, but I hope he's listening—and that the Premier, who is not here, is listening. This motion doesn't require a great deal, Mr Premier. I'm speaking to you. You're not there, but I'm speaking to you.

The member for Durham East is simply asking on behalf of these very worthy people for a petition to be sent to Great Britain—with the backing of the NDP government and the backing of the entire Legislature, because I think we'd all vote for it—that these people should be entitled to have their pensions indexed. I think the arguments the member for Durham East makes are eminently sound and logical: the fact that if you sent these people back or they returned to England the cost would be greater than their staying here and having indexed pensions. I think that's a marvellous argument and I wish you well, member, that you're able to persuade the people who have the levers of power to do that.

What may happen is the spin doctors in the back room may say: "That could be politically dangerous to do because we don't want to talk about indexed pensions. Even though all of us politicians get indexed pensions, we don't want to talk about that because it may mean that other people will want indexed pensions." So, "I'm sorry, Gord," he'll say to you. "We can't do anything with that motion. It was passed unanimously by the House, but it's not going anywhere."

One of my colleagues here in the House wishes to have two minutes of this, and I'm going to attempt to give it to him. I want to say this to the member for Durham East and to every member of this Legislature: If we are going to have meaningful representation by backbenchers who are not part of the power group in this place, if we're going to make Thursday morning important rather than wasting our time here, then we have to reform this Legislature to the point where if a bill gets second reading, as was the case with Bill 154 of my friend the member for Carleton East, that bill is brought forward and is passed and given royal assent.

Governments have got to stop this thinking: "That's a pretty popular bill. We don't want to give the opposition the benefit of having gotten that bill through the Legislature. We want to take the glory for ourselves." I'll tell you, we've got to get over that habit too. We're here to serve the people of this province. We're not here to serve ourselves or serve our own egos or try to get our picture in the paper or get on television. We're here to serve the people of Ontario. The sooner we realize that and the sooner we deal with the reform of this Legislature, empowering backbench MPPs to vote the way they wish rather than joined at the hip, the better off we'll be.

I've left you only a minute and 30 seconds, my colleague, but I'm happy to give it to you. I will be supporting this bill. I urge all other members to support it as well.

1030

Mrs Margaret Marland (Mississauga South): I'm very happy to stand in this House this morning and support this resolution. I see this resolution as being a totally non-partisan matter. I'm sorry some of the comments have developed into that flavour. We have lots of times and opportunities in this House to be partisan. The good thing about private members' business on Thursday morning is the fact that for the most part most of the bills and resolutions are non-partisan.

It's particularly significant for me to have this opportunity to speak to the member's resolution because I grew up in England. My parents were British. Except for the fact that my father died three months before the end of the war in the Royal Navy, and that my mother died in 1976 over here, my parents too would be in the position that the pensioners are in on whose behalf we are speaking this morning.

I also have been fortunate in receiving a number of telephone calls from my own constituents in this matter. If there had been more lead time and the if member who's moving the resolution was able to have more time to deliver the message, we probably would be in a position where we could actually speak personally on behalf of very many more of our constituents. In my case, the people who have called me are people I know very well in the community. It's a pleasure for me to speak on behalf of these individuals because they have made a tremendous contribution to this country, where they have chosen to live to be with their families.

It would make sense for the government of Ontario to support this resolution and follow it through to its final destination. I would hope that since the mover is a member of the government caucus, there will not be any problem with the intent of this motion being carried out. If there is, I say to you, Mr Mills, perhaps we should all camp out in the Premier's office.

People have called me this week: Dorothy Jamieson, Florence Gundhill and Mr and Mrs Corpe. When I mention those individuals, I know they are only four people of thousands whom we all have an opportunity to support in this House this morning.

I would also like to say at the outset that I think we all owe a tremendous expression of gratitude and congratulations to Benson Zonena. I think that Benson, as president of the Canadian Alliance of British Pensioners, has obviously been working very hard for a very long time on this issue. I've fortunately been furnished with a number of newspaper articles and publications from him, from my friend Mr Mills and also from another friend, although not a constituent, in Toronto, Mr Douglas T. Ross.

This article in the Weekly Telegraph is only one of many. I suggest to anyone who is not familiar with this issue that if he would like to contact my office, I would be more than happy to give him a copy of this article so he knows the importance of the debate we are taking part in this morning.

I would also encourage any of our British pensioners who live in Ontario today who wish to know more about this cause, and are wondering how they can be part of the thrust Mr Benson Zonena has started, to call my office and I would be happy to give them the telephone number. In fact I'll do it now. I'm not quite as old as Mr Mills, but I do need my glasses. The number is 253-6402. That's in area code 416. That's the number for the Canadian Alliance of British Pensioners. This is one of their newsletters, and I would be happy to forward that information to anyone who wants to be part of this very important campaign.

I wonder who would have thought that in July 1992 we would have to stand in this House this morning on behalf

of these pensioners. Who would ever have thought that of any government in the world, our British government would have chosen to copout totally in its responsibility to some of its pensioners. I could perhaps see it with a country with less history and less prestige, maybe even some other Commonwealth countries if we want to stay with the Commonwealth, but there are many countries in the world which would not have that system of honour that Great Britain has had throughout its history. That's why I think it's very hard for us to understand that of all countries, we are now pleading with the British government to rectify what is absolutely an injustice.

I do not see this issue as a question of choice for the British government; it is purely a question of obligation. When these people contributed to their national insurance fund when they lived in Great Britain, they were doing the same thing we do in Canada when we contribute to our Canada pension plan. We all do that in good faith, anticipating that at the very least we would all be treated equally in the end.

What we have in this situation is favoured countries on the one hand, and countries that are not in favour on the other hand, depending on where you live. What an irony that as we stand here in this House today, perhaps a mere 30 miles from the United States, we can talk about the fact that the people in Ontario are not entitled to indexed British pensions, but if they had chosen to live 30 miles from here, in the United States, they would have that advantage and access to indexed pensions.

It is cruel that we have 42% of the people who were in Britain making their contributions to their national insurance fund, in good faith, receiving their indexed pensions, and yet we have 58% who do not have that right. In fact, and I say this to the member who moved this motion this morning, in my opinion, all these pensioners are not only entitled to be treated equally, but those pensioners whose pensions have been frozen these last number of years are entitled to a retroactive payment to be equal with those people who have been receiving it.

1040

There is a tremendous irony because I haven't seen anywhere in this literature where in fact British pensioners living in our province are asking for that. They are not asking for retroactive payments, which I have said I think they're entitled to. They're simply saying: "Let us now be treated equally. Let it now be a fair system."

Frankly, I think the British government—and it's gone on long enough, of course, that we can say it's gone through more than one political party—is treating our expatriate pensioners as though they've already died. The sad thing, of course, is that in far too many cases, that is what has happened. People have died without the same privileges as other people receiving the same pension in other countries.

When people choose to retire abroad—I notice in a number of these newspaper clippings that the term "retire abroad" is used quite frequently—it's not usually for any other reason than that they want to be with their family members. A lot of older people do not wish to leave Britain because that's where they have their friends, their business associates and their community contacts through their

churches and other organizations. When they make that choice to retire abroad, in 99% of the cases, it's a matter of a family tie.

I think it is totally obscene that any government would discriminate against a family that chose to retire abroad, in the colloquial sense, to be close to its family and grandchildren, with the irony, perhaps even more so, that they need additional support financially. The pension itself isn't any great gold mine even at its indexed rate in Britain. When you come to other countries that are excluded and without the indexed rate, it certainly becomes a pittance with today's standard of living.

I want to read one thing very quickly. This was what really bothered me. By the way, I should mention that in Mr Ross's letter to the editor of the Weekly Telegraph, he said something I thought was very significant, "One is led to assume that the greater the procrastination on this issue the lower will be the financial liability as the numbers diminish." Isn't that sickening? Unfortunately, it's factual.

A quote in the Daily Telegraph of Monday, June 1, says:

"A spokesman"—of course it would be a spokesman—"for the Department of Social Security said that cost was a major deterrent to such a change, however desirable the object might be.

"The main purpose of the annual uprating of pensions and benefits is to protect the living standards of people in this country," he added.

"The cost of uprating pensions for all people living abroad would amount to £275 million a year and has to be considered in the light of other competing demands on the social security budget."

I would love to know who this spokesperson is in Britain who has the gall to say that the main purpose of upgrading the "pensions and benefits is to protect the living standards of people living in this country," meaning Britain. Who are they to decide the living standards should be any different wherever those entitled pensioners live? It is outrageous that the British government has for so many years felt it could remove itself from this responsibility. It is a moral responsibility they have, and for the Britain I grew up in I am ashamed that we are here debating this resolution. I hope it will have some impact on the British government ultimately.

Mr Drummond White (Durham Centre): I rise to support my colleague's resolution with a great deal of pleasure and concern, pleasure that I can support my friend and concern for the plight of fellow Canadians. These British pensioners are Ontarians who have come to us, as has my friend, from the United Kingdom. These are people who have become an integral part of our community. They deserve respect and consideration, not only as neighbours and newcomers to our cities and towns, but also as a part of the continuing heritage we share with them as a part of the British Commonwealth of nations. They offer us a direct connection with our many ancestors of British origin.

Since the 1970s, representatives of the more than 100,000 British pensioners in Canada have lobbied the British government. Most of those pensioners live here in southern Ontario. British pensioners from all over Ontario

have been calling their local members of provincial Parliament to make them aware of this debate.

I hoped that we would have more representation and forthright support. Today, Joyce Read from my riding of Durham Centre is here. My friend Tom Edwards, the mayor of Whitby, has told me the plight his family members have suffered because of the basic unfairness of the British pension system.

Indexation is essential to fair pensions. After a lifetime of hard work and contributions, seniors deserve to have the security that they will be able to live with peace of mind, free from worries about their next meal. Not only have they earned this security, this peace of mind, but we as a community owe it to them. As a government, we are committed to basic social equity and fairness. Indexation of pensions is an index, a measure of that fairness.

I have heard of few more dramatic examples of the need for indexation of pensions than here with British pensioners. I've met numerous seniors, some frail and impoverished, who are recipients of an insulting crust of bread in the form of their pensions. These women and men are loyal subjects of Her Majesty. Their pittance is a shameful return, a shameful response to their earnest loyalty. Their loyalty is steadfast and constant in value, while their pensions have declined to become an insult to that loyalty.

Elderly British pensioners like Tom Calder of Oshawa may receive only \$3.80, or £2, while if they were living in the United States or the United Kingdom their pensions would be indexed to \$100 a week, 26 times the amount that Commonwealth residents receive, a 2,600% increase due to indexation, indexation that's automatic in the United States. Surely the loyalty and needs of British residents here in Canada are no less than of those residents in the United States.

Seven years ago our federal government deindexed family allowances and attempted to do the same thing with old age security. Seniors from all over Canada rose in indignation and the federal Conservatives reversed their stance. British pensioners do not directly have the power of the vote in the UK, wherein lies the mother of our parliamentary system. We in Ontario know what it is like to deal with an insensitive government. We have the prospect of a change in that government. British pensioners in Ontario must depend upon our entreaties on their behalf and upon their own lobbying efforts. British pensioners in Canada have petitioned the British government year after year, and to no avail. Our government has attempted to secure bilateral agreement on social security and made some progress. We have such arrangements with 23 other countries.

1050

What other country do we have closer ties with? Look at the flag of our province. It boasts and boosts the Union Jack. It's prominent in the left corner. And above us here we have the Union Jack itself. Our banner announces, "Ut inceptit fidelis sic permanet." United Empire Loyalists we started, and loyal we remain.

My ancestors and those of most of us here came to Upper Canada from Scotland, from Wales, from Ireland, from England. We are Ontarians, we're Canadians, but

even in our present rich nation, which is multicultural and includes people from all lands and races, much of what we are has been shaped by our heritage as British Canadians. Our very form of government, this assembly, is a growing part of British parliamentary tradition.

It seems ironic that the British government fails to recognize and respect its traditional fealties, the loyalties and traditions of Canada and other Commonwealth nations. The UK has a reciprocal treaty with 30 countries, but not with those that have a fealty to the British crown.

I urge my colleagues of all political persuasions to unite in support of their constituents who came to us from the United Kingdom. Join my colleague the member for Durham East in passing this resolution to petition the government of the UK and Her Majesty Queen Elizabeth II as her subjects in Ontario, this most loyal of provinces.

Mr Alvin Curling (Scarborough North): I too arise, in my one minute and 30 seconds, to support this resolution which is brought forward by my esteemed colleague on the government side, the member for Durham East.

It's a very important motion, and I too would like to emphasize what my colleague the member for Brampton South has said, because not only do we know, very much so, of the contribution of these people to this wonderful country and to their country of birth in Britain, it is living evidence that their contribution we enjoy today and we build upon.

But I must again emphasize the point made by my colleague from Brampton, that not only will he and my colleagues here support it on the first motion but look with great anticipation to support it on second reading and third reading, like many of the private members' bills here. It is very important that he has brought to the attention of all who are here listening, who are in the gallery, that saying it on first reading does not make it law. We hope the government and all of us here will see this through all the readings.

I want to commend him very much, because we know how passionately he feels about these people who have contributed so well. I know I can't talk about ancestry, but I talk about fairness and human rights, and that's why we should support this.

Mr Peter Kormos (Welland-Thorold): I haven't got a whole lot of time to talk about this. I wish I had more, and I'm counting on the people around me to slow me down when I get to the end of the time allotted to me.

The folks watching this can't see the galleries, but I want the thousands of people in Ontario watching this on their television sets this morning to know that there has never been so complete and thorough an attendance by members of the public in the public galleries during private members' resolutions.

You know, it makes me feel good. I can't tell you how good it makes me feel when I see the public coming down here. This is your building. It is; it's your building, and you have a right to observe, to monitor and to criticize—I enjoy the right to criticize on occasion myself—but to watch what happens here in this your building, your Legislature.

Yes, I support this resolution, and I'm really counting on there being unanimous support for this resolution so

that the message from this Legislature is a message about justice, it's a message about fairness. It's a message about equity, isn't it? It's about simple equity; it's about getting what's rightfully yours.

The folks who are here and the folks who are listening are like so many people of their generation. I don't demean anything anybody's done, but they live with the most modest they have, with the most modest of goals. That was to make life a little bit better for their children than it was for them. To do that these people made sacrifices, they made commitments, they lived by their convictions; they adopted principles and they stuck by them. They made sacrifices and they served: They served their community, they served their country, they served their workplace, they served their neighbours, they served their churches. Many of them served in some of the most difficult of times and many of them have but memories of spouses or parents or siblings who made the ultimate sacrifice.

I'm so proud to be able to speak to this, this being an issue of justice and fairness and, yes, equity. I don't know if the folks know this or not: We're not supposed to refer to members by name. Oftentimes members are referred to by many other things besides their names, but the member for Durham East—I take it upon myself, and please, Speaker, don't jump to your feet and condemn me for referring to Gord Mills by his name because I happen to know him and his wife, and I know his wife calls him that; not the member for Durham East but Gordon Mills.

Seniors have a great number of advocates here in this Legislature—yes, in all three parties; there's no exclusivity on the part of New Democrats—but no advocate for the rights and interests of seniors has been more vocal, more articulate, more adamant than Gord Mills from Durham East. That riding has a tradition of very outspoken and enthusiastic representation here in the Legislature. I know that, because I was here before 1990 and I tell you, Gord Mills carries on that tradition of outspoken, strong, forceful, articulate, spirited and principled spokespersonship and representation of the people in his riding.

I want the people who are here to know there's a minister responsible for seniors' issues, and that's Elaine Ziemba, Minister of Citizenship. People who've got pens and paper with them should take down the minister's phone number. You can call Elaine Ziemba at 325-6170. Call her after this resolution is passed to let her know that you want her to join Gord Mills and this Legislature in calling upon the British government to create the fairness that this resolution calls for.

Mr Stephen Owens (Scarborough Centre): It gives me great pleasure this morning to rise and vigorously support the resolution presented by the member for Durham East. As the member for Welland-Thorold said, while it may be not appropriate to use the name of Gord Mills in this House, I certainly want to tell the people of his riding and the many visitors we have today that Mr Mills has in fact defended the rights of seniors and forwarded the rights of seniors since his arrival in this place.

I support this resolution for many other reasons. Mr Mills mentioned in his remarks that we have 60,000 expatriate Brits living in Ontario. Many of these people live in

my constituency. Maybe some of the folks who are sitting here today are resident in the riding of Scarborough Centre. I do this for you, and I do this also for my Uncle Tommy. It's too late for his wife, my Aunt Mary, as she's deceased, but it's not too late for his daughter, Julia. If they decided to emigrate to this fine country, they would be disadvantaged by a policy that has taken a snapshot of people 13 years ago and has frozen them in reality. Things have changed in the many years, the different times that have transpired since this snapshot was taken.

1100

I want to urge the Minister of Citizenship, Elaine Ziemba—and for those who missed the opportunity during the remarks of the member for Welland-Thorold, that number is 325-6170. Write to Ms Ziemba, call Ms Ziemba and urge her to write the Prime Minister, John Major, to write Her Majesty the Queen to implore that this policy be changed to ensure equity for British pensioners in this country.

As the member for Mississauga South said, it's a disgrace that we have people who have worked, have fought side by side with my father during the Second World War, and they've come to this country, they've built this country, they've worked hard, they've built businesses, they've raised families, and now, at a time when life is supposed to be made easier, it is in fact more difficult.

The people of the British Isles have endured many hardships during the history of time. It is now time for this country to urge the country of Great Britain to reduce and eliminate the inequity with respect to pensions. Again I urge all members in the gallery, all people who are having the opportunity this morning to watch the parliamentary channel—and perhaps it's a good thing we are sitting later on into the summer, so that there is an opportunity for more people to observe what goes on in this Legislature, to have an opportunity for members of the public to come in. As the member for Welland-Thorold has indicated, never ever have the galleries been so full.

In conclusion, again on behalf of the 60,000 expatriate British subjects in this country, on behalf of my Uncle Tommy, on behalf of my Aunt Mary, on behalf of his daughter, Julia, on behalf of the constituents who live in the riding of Scarborough Centre, I want to urge this government to contact the British government to eliminate this inequity.

The Acting Speaker: The honourable member for Durham East has two minutes in summation.

Mr Mills: I've found this one of the most encouraging resolutions or bills I've ever had the privilege of introducing into this Legislature. I'd like to thank the members who have participated in this debate and I'd also particularly like to thank my friend and colleague the member for Mississauga South, Margaret Marland, who too had a father who is deceased but who fought in the war and would undoubtedly be very pleased today to be spoken of in the context of my resolution.

I'd like to thank the president of the Canadian Alliance of British Pensioners, Mr Benson Zonena, who's in the gallery. Believe it or not, Ben feels so strongly about this that only on Monday last he was having heart surgery and

he's here today. I'd also like to recognize the vice-president of the alliance, Mr Bob McMullen, who's in the members' gallery. I'd also like to mention the treasurer of the alliance, Barbara Curly, who's also here. I'm very remiss. My own sister, Phyllis Grace, and her husband, Keith, are here from England, from Peterborough. To all you wonderful people, thank you.

[Interruption]

The Acting Speaker: Order, please. I again want to remind everyone that you're most welcome, but demonstrations, such as applause, in the galleries cannot be tolerated. Thank you very much.

Mrs Marland: On a point of order, Mr Speaker: I'm just wondering if, with agreement from all sides of the House, it would be possible to have the vote at this time rather than at 12 o'clock because most of our guests are elderly. I'm wondering whether, to accommodate them, we could have an agreement to have the vote now.

The Acting Speaker: Do we have unanimous consent? Agreed? Agreed. We will therefore proceed to a vote on Mr Mills's resolution 16. Are any members opposed to a vote on this resolution?

Motion agreed to.

Mr Mills: On a point of privilege, Mr Speaker: I know that in Hansard it will record just that the motion was passed. I'd like to go on the record to indicate in Hansard that it was unanimous with everybody present in this House today.

LANDFILL

Mr Beer moved resolution 19:

That, in the opinion of this House, recognizing that the decision to prohibit the regions of the greater Toronto area from searching for landfill sites beyond their boundaries is contrary to the intent of the Environmental Assessment Act, subsection 5(3), and the government has promised each person in Ontario the right to a full environmental assessment, including the right to a review of all options as it pertains to waste disposal in Ontario, and the impact of a landfill site in the greater Toronto area has not been fully examined in terms of the effect on communities, the environment, agriculture, municipalities, businesses and individuals, the Minister of the Environment should amend Bill 143 to allow a more democratic process for the consideration of future options for the disposal of greater Toronto area waste, and consideration of disposal sites outside the GTA where a "willing host" community exists.

Mr Charles Beer (York North): I want to first of all thank my colleague the member for Quinte, who allowed us to make use of his private member's time today, my colleague the member for Markham, who has this motion in fact on the order paper, and my colleague the member for York Centre. All three of us, the member for Markham, the member for York Centre and myself, believe this is a most critical matter of urgent public importance and we wanted to ensure that this summer we were able to debate this topic and try to convince the members opposite that Bill 143 should be changed. In my opening remarks I want to focus on two main elements.

Bill 143, just to remind people, is An Act respecting the Management of Waste in the Greater Toronto Area and to amend the Environmental Protection Act. It is my contention and our view that this is bad legislation which enshrines within it autocratic decisions by the minister that simply should not be tolerated in a democratic society.

1110

It is ironic in a sense that we have just unanimously supported a motion which deals with persons who come from Great Britain, where in fact the democratic traditions and customs that we practise here originally began and were nurtured. I think one of the focuses we have to have when we look at legislation is to ensure that it is fair, that it is equitable and that it speaks to those democratic traditions and customs we have had. In this case, this bill does not.

We're going to hear a great deal today about process and about how this elaborate process that has been developed under Bill 143 is going to lead to a fair and just decision. It is our view that this is utter nonsense, that in fact this bill does just the opposite. Let's remember the impact of this bill. In real terms, this is a bill to decide where to put Metro Toronto's garbage. The decision taken by the minister and enshrined in this bill is that this garbage should go to the region of York. No discussion, no debate; that's where it's going.

What is it that is going into the region of York? Here is perhaps the most fundamental problem with this bill. From a government which has said in the past in opposition and which has proclaimed itself as recently as this month as the great defender of the environment, as the great party that speaks for the environment, what has it done here? It has said that in the region of York there shall be not just a dump; there shall be the largest dump in North America, larger even than the dump at Keele Valley. In trying to give people some sense of the scope of this dump, I think the best description is to note that it is the equivalent of 80 SkyDomes.

For a government that sees itself as being on the cutting edge of environmental progress and environmental reform, I think everybody has to ask himself the question, does it make sense then to proclaim that the most significant step we can take is to use what my friend and colleague the member for York Centre has termed "outhouse technology," a dump that will go down into the ground, but at the end of its time will be some 130 feet into the air?

Mr Gregory S. Sorbara (York Centre): Thirteen storeys high.

Mr Beer: Thirteen storeys high, which is perhaps a better way to envision it and which will be the equivalent of 80 SkyDomes. That's what this is all about. That's what this is leading us to. It's the creation of that kind of dump.

Within the act the minister says: "Other options cannot be considered. I will not tolerate that other actions, other options will be considered." No one is standing on this side of the House and saying, "There is but one option available to any government in terms of dealing with waste." We all recognize we have a problem. But to state in this bill, in the act that was passed by this Legislature because of the members opposite, there is but one way to

go and that is to force a dump of that magnitude on the region of York; surely, I say to those members, runs counter to every environmental principle that exists.

Put it in the context, as I did in my question to the minister earlier this week, of the environmental bill of rights that has been brought forward by this government. Where are the rights of those persons living in the regions of Peel, York and Durham when it comes to dealing with what they are going to be forced to accept through this bill?

In my motion today, the motion I'm sharing with the member for Markham and the member for York Centre, we are simply saying that other options and alternatives should and must be considered. It is only right and it is only fair. This Bill 143 needs to be changed to make sure that in fact that can happen, because what we're saying is that as we go about trying to find solutions for our waste problems, we must not confine ourselves through ideology.

We've got to look at all of the new technologies that exist out there. What we have said is that they should go through the environmental assessment process. This act will not allow that. This act in effect speaks against using the environmental assessment process, which again the government has said for so long must be used in all matters of this kind. Well, if that is so, then let's make sure that is done here.

The second point I want to make in my opening remarks is the question around why the region of York has been fingered to take the waste from Metropolitan Toronto. Let's get one thing very clear at the outset: The region of York, where the Keele Valley landfill site exists, has been taking other people's waste for a long time. This is not a NIMBY issue here. We have been doing our part.

The region of York has said all along that it will deal with its own waste. That is not the issue. The issue is, why has this minister arbitrarily, unilaterally said in the bill that in addition to looking after the region's own waste, the region will also look after all of the waste of Metropolitan Toronto?

The minister received a letter dated July 8 from Eldred King, who is the chairman of York region, and I want to read this into the record because it is an important letter.

"Dear Madam Minister, I was most discouraged that you were not present at the rally on the steps of the provincial Legislative Building yesterday. I believe I had a very important message to share with you." He goes to attach a copy of that message.

"Also of great concern to me and York region council is a printed message from a communication published by your ministry...which is absolutely and blatantly inaccurate. Metro Toronto and York region have an agreement related to Keele Valley landfill site only. The agreement states, 'Metro will accept York waste up to the parameters as set out in the certificate of approval or to the year 2003.' If the site is filled prior to 2003, Metro must accommodate York's disposable waste in any other Metro facility. York region may also, before 2003, handle our waste in a manner so determined by regional council.

"There is absolutely no"—and I repeat—"there is absolutely no other agreement between Metro Toronto and York region, beyond the completion of the Keele Valley site."

It is for that reason that the region of York has gone to court and, under the charter, laid out a case which states very clearly that the rights of the individuals in the region of York have, through Bill 143, been denied. We believe that is a most serious charge and a most serious case.

It's for those two reasons in particular that I rise and speak against Bill 143 and for the changes proposed in this motion: First, it is simply bad public policy and bad environmental policy and I don't believe there can be any question to the contrary; second, it unilaterally and arbitrarily forces upon the region of York, with no discussion, the waste from Metropolitan Toronto.

This bill must be changed. Other options and other alternatives must be found. I encourage the members opposite as well as all of those on this side of the House to support this motion.

The Acting Speaker (Mr Noble Villeneuve): The honourable member for York North will have two minutes in summation later.

Mr W. Donald Cousens (Markham): The fact is that when Europe was under attack, the Allies formed a pact on which they worked together, and certainly the kind of relationship I've had with the members for York North and York Centre is that when we have had to put something first, it is our local communities and the people of York region ahead of partisan politics. So I compliment the member for York North in presenting this resolution and I support strongly the things Mr Beer is saying and certainly what Mr Sorbara is doing as well.

If everyone could work together on things like this, our society would be stronger and better for it, instead of allowing it to become something where the politics become far bigger than the needs of the people in the community. So I'm complimented that Mr Beer is using a resolution that I tabled earlier. It shows that we can work together and we will work together. I commit myself to continue to do everything possible to fight for the people of York, Durham and Peel to prevent the kind of terrible travesty to the environment that is being brought forward by this government.

1120

The resolution is broken into four parts, and what we are really talking about is the decision to prohibit the regions of the greater Toronto area from searching for landfill sites that go beyond their boundaries under the Environmental Assessment Act. I have to say that the Environmental Assessment Act, which has long standing in the history of Ontario, goes a long way to describing how a government can deal with it.

The other evening, I made a presentation to the Interim Waste Authority in its Stouffville office on behalf of the Conservative caucus. I would like to read into the record one of the paragraphs I presented at that time:

"To put it bluntly, the perceived override by Bill 143 of the Environmental Assessment Act's requirement, as stated in subsection 5(3) of that act, that an assessment include 'a description of and a statement of the rationale for the alternative methods of carrying out the undertaking and the alternatives to the undertaking' truncates the process in a manner which not only precludes the assessment of

alternatives to landfill in the GTA, but has also, for that very reason, fuelled public opposition to and scepticism about the process itself."

There isn't any doubt that when the government passed Bill 143 it removed the rights of people. That simple reason accounts for why York region is funding the court case of Mr Robert Johnston, mayor of Georgina, to fight for those rights in the courts. How terrible it is that people in a region have to use legal costs and court costs to fight the province here at Queen's Park. It's just a wrong use of money.

Notwithstanding that, the government is putting more than \$19 million into the funding of the Interim Waste Authority's activities, and there is no intervenor funding for people who want to fight it. That is not forthcoming. It should be forthcoming. What we're doing is fighting each other. That's not the way to build a strong, healthy environment. That's really what has been fomented by this government in the way it's causing groups to fight each other rather than fight together for a common cause.

The third point of this resolution—1 and 2 go closely together—is that the impact of landfill sites in the greater Toronto area has not been fully examined. I don't think there's any doubt that there's been a massive failure by this government to examine these sites. I have to feel that if they're dumb enough to put those 57 sites together, they might be dumb enough to put a landfill site in any one of them. If this government's dumb enough to choose them in the first place and put them on the list, then who knows what it's going to cause to happen? That is why people are wrecking their summers, fighting to have some understanding of justice.

In the Interim Waste Authority office in Stouffville, its topographical map showing the M3 site is so outdated it doesn't even show the large subdivisions south of 16th Avenue. That causes people to wonder whether they've taken into account all the people and population and social impacts that are part of it.

You say, "Come, people; express your views about these sites." When people went there the other night, there weren't even enough forms for them to sign to indicate their reasons for being concerned. Notwithstanding that, a couple of days ago the mayor's task force for Markham made a presentation. Indeed, task forces from all across the regions of York, Durham and Peel will be making their presentations. It's demonstrating the failure of the Interim Waste Authority to, in the first place, qualify the sites it has selected for any consideration at all.

The presentation given by the mayor's task force brought up the extremely hazardous use of land for a landfill site when it's close to airports. That alone should have precluded consideration of at least three sites. With a landfill, you end up having birds and different kinds of traffic coming into it that are dangerous near airports. Provision must be made to prohibit landfills within an eight-kilometre zone. The federal Ministry of Transport will be talking about the effect this has on the three sites: M3, M6 and one in Stouffville on Spring Lakes golf course.

Look at the data they had before they selected these sites. One site has a large, 25-hectare strawberry field on it.

One site is so close to a blue heronry; it's 900 metres from the M6 site. You're talking about flood plains that have never really been understood and are not part of the IWA process. You've got creeks that are missing; certainly the Burndennett Creek was missed in the M3 review.

We're talking about an analysis that is extremely incomplete. We're talking about the impact these sites can have on the large socio and geographic areas they are close to. What they've done is laid down a number of sites without any understanding, it seems, of the relationship it's going to have on the people and on the communities.

We concern ourselves with how this government has selected its criteria in choosing these sites. It confuses the importance of one site over another. They contradict themselves by virtue of their own policies and how they have it going. I have an example. My friend the member for Dufferin-Peel, who very much wanted to be here this morning but cannot, asked if I would comment briefly on some of the considerations of the 15 sites that are selected in Caledon and in Peel.

One site is owned by the Metropolitan Toronto and Region Conservation Authority. One borders on the Oak Ridges moraine and the Humber River tributary. One also includes a farmers' burial ground that was established in the 1800s, not registered but there are definitely bodies there. All sites in Peel are on agricultural land and on excellent farms.

We're talking about sites right across the whole of York, Durham and Peel that cut into the Oak Ridges moraine, the tributaries of the Rouge Valley and the Don River. You're talking about sites that are on the Ganaraska, sites that are in close proximity to Lake Simcoe and Lake Ontario. What a fool this government has proven itself to be in selecting such sites to eliminate Metro Toronto's garbage. The logic they use is totally inadequate, that they believe people have to see their garbage. Maybe they should provide bus tours so the people in Toronto can come and see where their garbage is going. Most people don't even know where Keele Valley is; they probably think it's out in Manitoba. Once it leaves their doorsteps, once it leaves their streets, they think it's gone. It is gone, but it's very close to them.

The people in Metro as well as the regions surrounding Metro have a genuine reason to be concerned that this government has said, "It's just going to have to be this way." The government has closed its mind to the options that are available. That is the third and final point I wanted to stress in my presentation this morning, and that is part of the presentation I made to the Interim Waste Authority earlier this week.

On behalf of our caucus, we wanted to make it very clear that the authority review the legislation which gives the authority power to consider options other than just looking at the most valuable space in Canada that surrounds the greater Toronto area; in other words, look at the rail-haul option. Our caucus had two resolutions we presented to Mr McIntyre and the IWA: that the IWA commission or conduct a complete environmental assessment of the Kirkland Lake rail-haul proposal, and that the IWA assess the proposal by applying the same eight criteria it

will employ in a comparative evaluation of the GTA candidate sites.

I'm not saying that Kirkland Lake, Adams mine, is the site; I don't know. But I do ask that there be a thorough environmental assessment of that site. It's a willing host site. When you hear the kind of remark made by the New Democrats, "That means you have to look at all other sites," that is a lie. When there are people who are a willing host site and are prepared to accept it, that is the kind of opportunity we should look at here within the greater Toronto area. It's happened in Oregon. It's happened in many parts of the United States where you have a rail-haul option, and it's working.

The other recommendation we made on this very important point is that the IWA reduce uncertainty and strengthen the credibility of the site selection process by immediately delisting candidate sites located in, on or near environment biospheres. When you realize the effect these landfill sites will have on such a large area, you have to understand that there are other considerations beyond just the people.

Part of the presentation that was made earlier this week by Gartner Lee in the mayor's task force touched on environmental considerations: the gases, the leachate, the traffic, the vectors, the odour, the visual impact. When you think that these sites we're talking about will be 11 storeys tall, it has a huge impact on these communities. The litter, the dust, the noise: How many people want to have 500 trucks passing their homes and their streets and going through their communities every day? The air emissions, the effect on settlement, the effect on heritage: All these are considerations that have to be brought to mind.

1130

As we speak in favour of this motion, we're asking only for common sense. We're asking for some sanity, for some chance for this government to reopen its consideration of other options, other than delimiting and controlling the search process to the 57 sites that have been proposed. If this were done, we would be in a position in this province to take it a step further and open up for technology and open up for other ways of handling our garbage.

I compliment the member for York North. I sincerely hope this will be a day we will see a change of heart by the member for Durham-York, who certainly is part of the York community, a person who has sensibility. I hope that at this point in time, he'll have an opportunity to come on side for the people of York rather than take the partisan political role he has taken up until now. I don't know what the member for Durham West will do. We all know he has talked on both sides of this issue. Therefore, as we hear him talk in the House and in committee, we know there are different ways in which he handles the issue. The public will deal with him appropriately when the time comes.

I'm going to leave a few moments for my member who's critic for the greater Toronto area.

Mr Jim Wiseman (Durham West): I'd like to address those last comments first. My stand on the issue of waste management has been consistent since 1987, when Metropolitan Toronto first made its incursions into Ajax at

the Brock South site. It remains consistent, and that is that there should be no landfill sites anywhere in Durham that do not undergo a full Environmental Assessment Act hearing. I agree that Bill 143 fulfils those requirements. I have not said anything different and I will continue to—

Interjections.

Mr Wiseman: Also, I would like to point out that during the debate by the member for York North and the member for Markham, I sat here and did not heckle. I would think the return courtesy would be useful.

Mrs Elinor Caplan (Oriole): But you've got to tell the truth in this House, Jim, and you know 143 is not a full environmental assessment.

The Deputy Speaker (Mr Gilles E. Morin): Order.

Mr Wiseman: I would tell the member for Oriole that I have done nothing but tell the truth in this House and that if her party were consistent with what it has done in the past—it's rather interesting that it is lately coming to this position of full environmental assessment.

But I'd like to read my prepared remarks. I rise once again in this House to debate the issue of waste disposal. I welcome the opportunity to revisit the issue we debated endlessly over the past winter when we discussed Bill 143, the Waste Management Act. I have to admit I understand the member's anxiousness to debate this issue once again. It may well be that some of the members of the opposition did not pay very close attention when this bill was brought through the House, as they did not realize that this bill was going to be a catalyst by which potential landfill sites could end up in their backyards or their ridings.

I understand that not all members of this Legislature have had the opportunity to understand the garbage issue the way I do, and I think they're lucky they don't. It is an issue I cut my political teeth on. It is an issue that is very near, but I can tell you, not so dear, to my constituents.

The member wants to "amend Bill 143 to allow a more democratic process for the consideration of future options for the disposal of...waste" in the greater Toronto area.

I know what he's talking about. He's talking about incineration. We live in a parliamentary democracy. The bill prohibiting incineration as an option for the GTA's waste disposal was debated in this House. It was referred to the standing committee on social development and we had five weeks of hearings. We returned the report of the committee to the Legislature, debated it a third time, and as happens in parliamentary democracy, the bill was passed and it became law.

Am I missing something here? Has there been some change to the definition of "democratic process"? I'm sure the members opposite would like to believe a democratic process is one that favours the whining of opposition members. I'm afraid that just isn't the case. We had the hearings and we listened to all sides of the argument. Yes, I said all sides. Issues have more than one side. That is what—

Interjections.

The Deputy Speaker: Order. You'll have your time to reply.

Mr Wiseman: During these hearings we had agreement from the member for Mississauga South, who shares this government's view on incineration. As a matter of fact, she spoke more eloquently on the subject than anyone else did during the hearings.

I am proud to say this government is considering future options for the disposal of GTA waste. There is nothing in Bill 143 that prevents this from happening. Evaluation of these options is happening as we debate this very issue in the House today. No, only incineration was ruled out. It is clearly not an environmental answer. All it will do is swallow up the precious and few natural resources this world has left to offer, further pollute the air we breathe and leave a toxic waste at the end of the process even more difficult to dispose of than normal waste if it can only be disposed of in a hazardous waste site. It does nothing to close the environmental loop.

The second part of the resolution deals with the consideration of disposal sites outside the GTA where a willing host community exists. I am sorry, but I have to laugh when I see the phrase "willing host." My constituents in Pickering know all about "willing host." They are the most unwilling of willing hosts there are. The Brock West landfill site currently in operation in Pickering for Metropolitan Toronto waste was in the beginning based on a "willing host" scenario. Well, even the most courteous of willing hosts can get upset with a visitor that has overstayed his welcome.

Pickering reached that point with Metro some years ago. They were counting the days until Brock West could finally be closed. Then, lo and behold, even without knowing it, Pickering residents became a willing host yet again. It seems that the council of the region of Durham in conjunction with the regional municipalities decided that Pickering would once again be a willing host for Metro garbage. This was the birth of P1, the proposed interim landfill site in Whitevale that was proposed by the previous government without any options. It was technically a willing host, but for the 60,000 people in Pickering it was just the big guys raking in the bucks by sacrificing the little guy who didn't have enough votes on regional council to fight it.

My constituents know about willing hosts. They know about the shortcuts the previous government took. They know about the democratic process. They do not have to be reminded, and I find it rather interesting that the Liberal Party has been converted on the road to opposition, where they justly deserve to stay for a long time if that's their view of the democratic process.

Mr Sorbara: This debate on Bill 143 is going to continue until either the New Democratic Party government is defeated by the people in the next election or at an earlier time when the Minister of the Environment introduces amendments into this Legislature to change the basic principles of Bill 143.

I've sat in this House for over seven years now and represented the people of York region, or some of the people of York region, for seven years. I want to make it clear that I have never in the course of those seven years seen such angry, fierce and determined citizen involvement in a matter of public policy as on this issue, as crafted by the Minister of the Environment under the terms of Bill 143.

I can just think back to a meeting in King City a couple of nights ago, where more than 500 people gathered to express their outrage, their anger and their determination that they, along with the other residents of York region, will move heaven and earth rather than allow the government of the day to implement what is provided for in Bill 143. I've never seen anything like it, not on the most controversial of bills. I too, I tell my friend the member for Durham West, believe in the democratic process and I believe that in a democracy the will of the people is going to prevail.

Interjections.

The Deputy Speaker: Order. The member for Durham West, you had your turn. It's his turn.

1140

Mr Sorbara: I was speaking about the meeting in King City the other night and the determination of the people there to make sure this policy is not implemented. The kind of speeches I heard there from citizens and local representatives actually struck fear in me, because as one councillor put it, "There will be blood in the street before this dump is opened in York region." I don't agree we have to go that far, but I just mention it in this Legislature to advise members of the degree of anger.

Let's find out why this is. Let's review the facts and circumstances. What brought us to this point? First, is there a problem? Yes, there is a problem. Metropolitan Toronto, a community of some 2.5 million people, creates on a day-to-day and month-to-month basis a great deal of garbage. Its facilities at Keele Valley are now filling up and at some point or another Metropolitan Toronto, in conjunction with other municipalities in the area and the province of Ontario, is going to be required to find new facilities or new ways of disposing of its garbage.

Let's give credit where credit is due. Bill 143 does say a lot of the right things about reuse, recycling and reduction of waste, and we have no quarrel with that. All of us agree unanimously that it is time we got on with that agenda. But the other part of Bill 143 is the thing that has outraged citizens, not just in York region but throughout Metropolitan Toronto and around the province.

Why is that? It's for two reasons: First, the Minister of the Environment determined that she would impose upon the province her personal and political ideology; that is, that the only solution to the disposal of garbage is the old outhouse technology of digging a hole and dumping it. Second, the Minister of the Environment determined that the garbage from Metropolitan Toronto would have to go in the urban shadow of Metropolitan Toronto. That means you have to dump it as close to home as possible; again, the outhouse technology.

I want to say a few things about dumping in the urban shadow. No jurisdiction in North America or Europe has used the urban shadow approach for dumps in the past 30 years. One wonders why Ontario, Metropolitan Toronto and Ruth Grier are doing it, but that's for another, longer debate.

Even assuming that the political approach of dumping in the urban shadow of a large metropolitan area is the appropriate one, instead of saying all the urban shadow

can be a candidate site, the minister determined that only one municipality in that urban shadow would be an appropriate candidate region for the garbage. That determination is so arbitrary, so outrageous, so unacceptable, that the people of York region said, "It cannot survive, and if the minister does not change her mind, we will ensure that the government is defeated and that garbage is never dumped in Metropolitan Toronto."

Let me put it to you another way, Mr Speaker, just to enforce the point and the perspective of York region. I ask you to make a determination. How fair would it be if the Minister of the Environment said the garbage dump can go anywhere in Ontario except York region? Would that be fair? Would that be acceptable? What if the Minister of the Environment said the garbage could go anywhere in the urban shadow in the regions of Durham, Peel or Halton, anywhere in the urban shadow except York region? Would the government members support a bill of that nature? I tell my friends in opposition they supported a bill that did the exact same thing, except in reverse, when Ruth Grier said in the bill that the facility shall go in York region.

That's the justification for it. That's the thing that so troubles the people of York region. If the rest of the urban shadow had been open as a possibility for a candidate site, they might have said: "Okay, it's their politics that it goes in the urban shadow. It's their politics to have dumps, so okay, all of the urban shadow is a possible area for this megadump." When the people of York region read that bill and it said that Peel has to find a site for Peel garbage, they said, "Okay," and Durham has to find a site for Durham garbage, they said, "That's okay." But then the bill said that Metro Toronto and York region have to find a site for their garbage and they said: "No, stop, hold it. That doesn't make sense." Tilt—you know, you're playing pinball and the machine says "Tilt." Something is out of order. Something is not acceptable.

We said to the Minister of the Environment when she introduced the bill: "Ruth, don't do this. It's a political decision. All hell will break loose. You are creating a crisis that you will not be able to control. You can't arbitrarily identify York region as the site for Metro garbage and get away with it. The democratic process will not allow you to do that."

She was stubborn, she was arbitrary, she insisted, and they used a closure motion to ram it through Parliament, I say to my friend who refers to the democratic process, and now we have the law on the books. But in a democracy where the will of the people prevails, I am absolutely satisfied that this megadump will never open in York region, because if the minister does not change the law, then the people will change the government.

It's not just a York region issue. Every single environmental group in the province of Ontario has told the Minister of the Environment that she was wrong in the way she has gone about this. Every single council in York region has provided funds to fight this. The region of York itself is taking the minister and the Interim Waste Authority—as if there is anything interim about this—to the highest court in the land to challenge this under the Charter of Rights

and Freedoms that protects or is supposed to protect the rights and freedoms of the people of this province.

I simply want to say in closing and in completing my remarks that we here in opposition will continue to race as fast as we can to keep up with the people of York region who have a determination in this regard that gives me the highest degree of confidence that this will never happen. We will fight until the end. We will defeat the government or we will change this bill or, if I have my druthers, we will do both.

Mr Chris Stockwell (Etobicoke West): Mr Speaker, I'd like to thank you for the opportunity, and the members from the Liberal Party for bringing forward the motion Mr Cousens drafted. It certainly shows there is some cooperation on at least one issue.

First, the list is long on the inaccuracies that the member for Durham West outlined in his speech. I only have a minute left. I'll just go through quickly what's wrong.

This government has absolutely butchered this issue, totally butchered it from day one. Metropolitan Toronto acted in a very uphanded and fair manner. All the sites that they were going through were going through full environmental assessment hearings under a shortened process. It was a very public and very understandable process. Granted, that government there didn't agree with that process and I accepted the fact it didn't agree with the shortened process. I understood the fact during the election that they didn't accept the process and they came forward and said, "All sites must go through an environmental assessment program," and I understood that.

The environmental assessment program takes 17 years; 17 years was the last site approved on the environmental assessment program. Under Bill 143 these sites will be on stream in two to three years. They're trying to tell me that's a full environmental assessment program. The hypocrisy is unbelievable. The only thing that's consistent is the clothes they wore in 1987. That's the only thing that's consistent about their position.

You should be ashamed of yourselves, members opposite, and the member for Durham West particularly should be very ashamed of his position, because you are not representing your constituents and you've been co-opted by government.

1150

Mr Larry O'Connor (Durham-York): It's a pleasure to be debating this again, as we have on many occasions. There are some points in this resolution that I'd like to particularly address. The first point is the decision about the prohibition of the greater Toronto area from searching for landfill sites beyond its boundaries being contrary to the Environmental Assessment Act. I want to point out that the traditional waste master planning process and the practice is to define the search area, and that's exactly what the government did.

The second point that has been raised is the right to a full environmental assessment and the right to review all options. The preferred sites that will be selected by the Interim Waste Authority will be defended, and have to be

defended, before the Environment Assessment Board, and that's a process that is quite open.

Quite often in this debate we're hearing about options. One option that one of my colleagues pointed out was incineration. Why not incineration? I don't think I could go off into my constituency and tell any of my constituents that the opposition members would like to see an incinerator here, because they don't think burying the garbage is a good answer. That option was well debated in the committee; we heard from an awful lot of experts. I'm not saying I'm an expert on it, but that's one of the options that has been talked about, and that's something we want to talk about.

When they refer to all the options, another one is the train, sending it north to Kirkland Lake. I've got an article here from USA Today newspaper, and it's dated July 14, 1992. I'll read you the title of it: "Trash Train Continues Vagabond Course." The Santa Fe Railway calls it the "PU Choo-Choo." That's a very good name for it because in the article it says there were large numbers of flies, maggots and an odour coming from the containers that were dripping. The vagabond train has focused attention on the growing debate over solid waste disposal and the regular hauling of household garbage all around the country.

I don't know if, when that train was making its trek up north, the members opposite thought about when it stops. It could get stopped and delayed in Beaverton or in Orillia or in Huntsville or North Bay, because that's all very likely, and maybe we could have the PU Choo-Choo sitting in North Bay. I don't think the members opposite would like that too much.

When they talk about Kirkland Lake as an option, the so-called willing host, if it had to go before the Environmental Assessment Board, every single potential site would have to be considered. This is because a proponent of a landfill site cannot go in front of the Environmental Assessment Board with just one site having been examined for that reason, because there are people who want the garbage there, the willing host. The board would simply dismiss that undertaking.

Another aspect was the impact of landfill on the greater Toronto area. We've seen the emotion that's been stirred up by this, because we did have some large rallies here, and there are a lot of large meetings taking place up in my constituency and my other York colleagues' constituencies. But when they show up here at Queen's Park, they let the people of Metropolitan Toronto know they've got a responsibility in this. They've got to get serious about waste reduction. They've got to take that to Metro council and tell it that it has got to be responsible.

There is an agreement, an arrangement that Metro would take York's waste till the year 2003. There's also a responsibility on the part of Metro to start taking a look at reduction, and that's what those residents were coming down and saying as well. They're not only being critical, but they're taking a look at all of the aspects that need to be looked at.

I know my colleague from the north wants to talk a little bit about it, so I'm not going to go on much longer. I just want to say that, as far as the impact of landfill not being fully examined is concerned, every aspect of landfill

I have mentioned is going to have to go before a full Environmental Assessment Board hearing. These hearings will take into consideration the full impact before a shovel ever touches the ground, and I think that's important. Two new landfill sites within the greater Toronto area were to go to Whitevale and Brampton without going before that board, and I don't think that was a democratic process.

The Interim Waste Authority was not created to say that we didn't have a responsibility, because, yes, we've got a responsibility and we're not turning our backs on the people we represent. We've got a serious problem and we're addressing it.

Mr Robert V. Callahan (Brampton South): Very briefly, I want to join in the debate by indicating that this whole process has certainly troubled the Doanes, a family in my riding whose farm, which they've been farming since 1935, has in fact been zeroed in on as one of the sites for garbage.

I suggest to you that flies right in the face of the New Democratic Party's lifelong statement that it wishes to preserve good farm land. This farm land has been in existence since 1935. What are the Doanes to do? Are they to be left on hold for a year or two or three, before they can finally get back to making plans to farm on a long-term basis?

In addition to that, there are other people in my riding who went through a process that went on for years and many of them would come to me when I was on city council and say, "I'm afraid to fix up my rec room, Mr Callahan, because I don't know whether or not that landfill site across the street is going to be the one designated."

I suggest to you that what has happened now is we've put them right back in that same process. We've put them on hold. That's not fair to the people of my riding or, for that matter, to the ridings of those members who have spoken on this matter. I want to thank my colleague for giving me an opportunity to say those few things on behalf of my constituents.

Mr Gilles Bisson (Cochrane South): I've only got a few minutes. I'll just make the most important points. It is with great pleasure I have an opportunity to get up and participate in this debate that was put forward by the Liberal member—I forget the riding—Mr Beer.

I just want to point out a couple of things in his debate, because I think it's fairly important. One of the things I'd like to point out is that one of the things that is said by the opposition—I think the member for Markham mentioned it—is how this whole approach in regard to Bill 143 was an unthought-out process; it wasn't any good, there was no logic to it and it didn't work at all.

What they're advocating, what they want to do in this particular situation, by allowing the garbage to be shipped outside of the GTA is that—basically the analogy would be like saying, "I'm cleaning my living room and rather than take the dirt and put it in the wastepaper basket, I'm going to take it and sweep it into somebody else's room"—that's the position they're advocating.

The one thing I want to point out that's really interesting is that the Liberals have finally found a piece of policy. For years they were in the opposition; then they became

the government. We didn't know where they were going when they were in government, so people booted them out. But all of a sudden they came up and they found a policy. The policy is that now they believe in environmental protection. They believe that there should be a full environmental assessment on these particular sites, which there will be, because we provided for that under Bill 143.

But I'm glad that they've taken that position, because I want to tell the people watching today that what happened under the Liberal government when it looked at the Adams mine site in Kirkland Lake in Boston township is that it was going to allow that particular site to go ahead and become a short-term site without an environmental assessment. They were going to allow it to go as a short-term site. It would go under the EPA and, once they got garbage into the pit, who needs an environmental assessment at that point? So they didn't have a policy when they were in government because they were going to allow that site to go ahead.

What needs to be pointed out over here is that what happened is they needed to deal with the garbage crisis. No problem, that's fair. As a government they tried to give it some direction and leadership. They were kind of short on that. What they did is they turned around and they went out and they said, "We want municipalities to nominate those sites that they think would be able to act as interim sites in the short term." Metropolitan Toronto was the one that nominated Kirkland Lake. Metro nominates a town in northern Ontario to become its waste disposal site because supposedly it's a willing host.

Interjection.

Mr Bisson: No. I'm a northerner and we don't want garbage in northern Ontario. We have to deal with our own.

The thing is that what happened is that Peel went and nominated 6B, Durham nominated P1, and all of those sites, if any one of them had been accepted, would have gone without an environmental assessment, not one. That's terrible.

The point I'm trying to make is that the Liberals all of a sudden demand that there's going to be an environmental assessment. They want an environmental assessment. They think every site should go ahead with an environmental assessment. I agree, but it's a long time after the issue that you've changed your mind, because you were going to allow Kirkland Lake to go without such a provision. It would have been done under the EPA and that is totally correct.

That's what the people in Kirkland Lake found out when they started reading the agreement, because this agreement was put as a package that was so wonderful initially, but when people started to read the fine print they found out there were no recycling jobs, because the garbage you were going to send up there was the residuals and had nothing to do with the recyclable contents. Second of all, it wouldn't have undergone an environmental assessment; it would have been under an EPA.

1200

Come clean for once. The Liberals are such that if you put two glasses of water in front of them and they have to choose one, they'll die of thirst. They can't make up their

minds. That's what's going to happen to them. So come clean.

The Deputy Speaker: The member for York North.

Mr Beer: Let's be very clear, when we listen to the rubbish that has just come out on this issue, that we had in the person of Jim Bradley the finest Minister of the Environment this province has ever had. We had with that minister somebody who stood up and defended the environment. What is incredible in what we have heard from the members opposite—

Interjections.

The Deputy Speaker: Order.

Mr Beer: Thank you, Mr Speaker. What we have heard from the members opposite—

Interjections.

The Deputy Speaker: The member for Durham West, I advise you to remain quiet.

Mr Beer: The reason why they try to go back and talk about things which didn't happen and tell us about a policy that they say existed and didn't exist, is because they know they stand on such flimsy ground with Bill 143, which should never have been presented to this House, which is, in and of itself, garbage.

We have heard a number of comments about the motion. I want to go back and commend my colleague the member for Markham, who, in a very thoughtful address, set out all of the problems that have emerged as we begin to look at all of the sites that have been put out. There are many. My colleague the member for York Centre noted the feelings that exist in those areas because of this arbitrary policy. Somehow, one of the things that we have to do in this House, and from this side of the House, is to make you understand what is happening up there.

The other point that has to be made is that when the members opposite talk about what happened in the past or a short-track process, what you are doing in this bill—there's nothing short-track about it—is a direct and fundamental attack on the basic rights of individuals because you're saying there is no choice and no option.

In addition, they come at us not using the words in the motion, not in fact using any words that were expressed here and through that old favourite of saying, "They want to talk about incineration," or "They want to talk about Kirkland Lake," or whatever. Let me remind them that what they're proposing in this bill and what they refuse to talk about is a megadump, outhouse technology, 19th-century technology, bad environmental technology, bad environmental policy. It is just simply bad. Why don't you have the courage to focus on that issue? Because what you're saying, no matter what stand you have taken—and I respect that in the past on different dump sites—what you are saying by supporting this bill is that dumps are the way to go and that in the region of York the only way to go is to create this SkyDome monstrosity, this 13-storey-high dump. You're saying that is the answer.

The inequity of this bill is simply what we have said. In the process all options should be on the table. We have not argued for any one. In fact, the Kirkland Lake proposal

was that it simply go through a full environmental assessment. Nobody was saying that had to be the one. What we know, those of us who are living in York and Durham and Peel, is that what this does is say, "Thou shalt have a dump," and in the course of York region, "Thou shalt have a megadump and there will be no question about that."

Earlier in the week in a question to the minister I used the metaphor of, what good does it do to a person who is going to be taken to the gallows to be told, "Listen, we're going to allow you to participate in a wonderful process to choose the site where the rope will be swung"? You go through a six-month process and you look at different sites—outside, inside, some with flowers, some without—but let's face it, at the end you are going to be swinging from the gallows. That is exactly what is happening here in terms of York region. There is no choice. There will be, according to the Minister of the Environment, according to the New Democratic Party, a megadump which goes against every fundamental environmental principle I would have thought that party supported.

So when the member for Markham, the member for York Centre and I have come forward from York region with our views and our feelings on this issue we need to underline that we are reflecting what is being said within our own areas. What is being said is that this is a rotten process, a faulty process, a sham process. This bill must be changed, because the people in York region are not going

to accept what you are forcing upon them. I urge you to think very carefully, before you cast your vote today on this motion that this motion should pass.

1212

The House divided on Mr Beer's motion, which was negatived on the following vote:

Ayes—23

Arnott, Beer, Bradley, Brown, Callahan, Caplan, Carr, Cousens, Curling, Eddy, Elston, Eves, Fawcett, Grandmaître, Jordan, Murdoch (Grey), Phillips (Scarborough-Agincourt), Poole, Ruprecht, Sorbara, Sterling, Villeneuve, Wilson (Simcoe West).

Nays—29

Bisson, Cooper, Coppen, Drainville, Ferguson, Fletcher, Grier, Haeck, Hope, Johnson, Klopp, Kormos, Lessard, Malkowski, Martin, Mathysen, Morrow, Murdoch (Sudbury), O'Connor, Owens, Sutherland, Swarbrick, Waters, Wessenger, White, Wilson (Kingston and The Islands), Winninger, Wiseman, Wood.

The Deputy Speaker: All matters relating to private members' public business having been completed, I do now leave the chair. The House will resume at 1:30.

The House recessed at 1215.

AFTERNOON SITTING

The House resumed at 1330.

MEMBERS' STATEMENTS

MUNICIPAL BOUNDARIES

Mr Norm Jamison (Norfolk): The Minister of Municipal Affairs knows that Bill 75 calls for the annexation of 64,000 acres from Middlesex county municipalities, including the entire town of Westminster, to the city of London.

In alternative proposals to the minister, representatives of the town of Westminster, the townships of Delaware, London, North Dorchester and West Nissouri and the county of Middlesex have proposed that the amount of land to be annexed be 24,000 acres, rather than 64,000 acres, as put forth by the greater London area sole arbitrator, Mr John Brant. These are realistic options to try to resolve a bitter boundary negotiations process.

I'm very pleased that the minister has agreed to meet with the affected parties. However, the conflict around this situation could have been prevented if the minister had followed a more reasonable process. The minister arbitrarily appointed a sole arbitrator to review the problem and make recommendations. Although the minister had a wide-ranging authority under the Municipal Boundary Negotiations Act to effect a new settlement, this kind of third-party determination is unprecedented and disregards the principle of having locally elected representatives negotiate a settlement.

I am pleading on behalf of the residents of Middlesex county, and indeed many of the residents of the city of London, that the minister use this opportunity to listen to the alternatives put forward by locally elected officials and to effect changes to Bill 75.

OWEN SOUND LITTLE THEATRE

Mr Bill Murdoch (Grey): I would like to advise the House and the Minister of Culture and Communications of the value of the Owen Sound Little Theatre to my community. This company, which began performing in 1961, operates in the Roxy Theatre and has been entertaining local people and visitors since that time. The theatre is also home to touring professional acting groups, commercial promotions, children's shows, dance recitals and concerts by various arts groups. These presentations make the city the cultural centre of Grey and Bruce and are vital in maintaining the life of Owen Sound's downtown core.

But the theatre now needs to expand and upgrade in order to fully accommodate people with disabilities, to meet current fire and building code standards and to encourage a broader public use. People in wheelchairs and walkers need improved access to all areas of the building and the members of the tour group need a rehearsal hall and costume and set-building areas.

In all these years of operation this theatre has never run a deficit, thanks to a dedicated band of volunteers who administer and maintain the facility and to the active community fund-raising events. But now they need a capital grant and they deserve support.

I would urge the minister to look favourably at this request. She must see that these funds will be well spent in that she will be assisting a hardworking and excellent amateur theatre group. They have made the Roxy Theatre into a cultural focus for the city of Owen Sound and an attraction which draws people from several areas of the province. We in Grey and Owen Sound are proud of the Little Theatre. It has delighted and educated people of all ages and has given a love of culture and the arts to many. It is my hope that it will be able to continue to do so for a very long time.

GEORGE A. SEIBEL

Ms Margaret H. Harrington (Niagara Falls): This year we mark the 200th anniversary of the Ontario Parliament. This will be re-enacted in September 17 in Niagara-on-the-Lake.

The Niagara area is certainly rich in culture, heritage and beauty. Amidst the development of the modern hotels and attractions in Niagara Falls, we must not lose sight of our rich history.

There is one person I would like to honour in Niagara Falls who has made this his personal quest. Mr George A. Seibel has made an outstanding contribution to preserving and recording our history.

When I first moved to the city in 1977, I looked for a book on the history of the city. It was George's 1967 centennial history of the city. He created the Niagara Falls Heritage Foundation. He organized the celebration of the 200th anniversary of Portage Road. That's the original portage around the falls, starting from Queenston and winding through the city, ending up in the village of Chippawa.

He has been the adviser to all of us in the city on the history. He has given freely of his knowledge and experience. He has secured grants and done fund-raising to pay for all his projects and has never accepted payment for any of his work.

I know George as a man of creative and imaginative powers, skilled in organizing, research and hard work but, most of all, he loves working with people. His perseverance and courage are even more evident now in times of illness.

This is a lively collection of all the things he has done, many books about Niagara Falls. I would like to thank George for all he has done and continues to do.

SENIOR CITIZENS

Mrs Joan M. Fawcett (Northumberland): I rise today on behalf of the senior citizens of Ontario, the fastest-growing segment of our population and one that has been totally ignored by Bob Rae's NDP government.

Let's just look at the NDP's record with seniors:

1. They disbanded the ministry for senior citizens' affairs and it came under the umbrella of the Ministry of Citizenship.

2. In last year's budget, the NDP put the tax grants that seniors receive to a means test, effectively killing the universality of seniors' benefits.

3. Seniors used to be able to go for walks and drives in our provincial parks at no expense. Now they must pay for each visit or buy a yearly pass.

4. Perhaps the worst of all is what happened to seniors as a direct result of the NDP government's failure to move on the reform of long-term care. The Minister of Health is going across the province closing down chronic and palliative care beds and cutting back on nursing staff, while the Minister of Community and Social Services is not picking up the slack by increasing funding for home care programs. Meanwhile seniors are slipping through the cracks.

5. Speaking of the health care system, the NDP is now attacking the Ontario drug benefit plan by slashing numerous prescribed drugs from the formulary.

The Senior Citizens' Consumer Alliance has demanded the re-establishment of the ministry of senior citizens' affairs. Is it any wonder they feel there is no one at the cabinet table speaking for them?

I urge Bob Rae and his NDP government to reinstate the ministry of senior citizens' affairs and give the fastest growing segment of the people in Ontario a voice at your cabinet table.

VICTORIAN ORDER OF NURSES

Mr Norman W. Sterling (Carleton): I want to point out a glaring contradiction in the government's health care policies. The Ministry of Health's redirection of long-term care is supposedly intended to place increased emphasis on community-based services, to enable elderly people and people with physical disabilities to remain in their homes for as long as possible.

The government's long-term care reform policy has already increased the number of acute and complex cases that require care in the community as hospital bed closures occur. This has increased the need for more highly qualified health care providers outside the hospital and in the community, yet in what appears to be a totally contradictory move, the government is cutting back funding to the Victorian Order of Nurses. In Ottawa-Carleton the VON has laid off 27 registered nurses in order to cut \$250,000 from its budget. This is totally inconsistent with the Minister of Health's claim that quality care and a consistent standard of service will be ensured.

The VON has provided outstanding home support service in Ontario for 94 years. In Ottawa-Carleton alone the VON cares for 3,500 patients, making about 1,000 daily house calls. If the government is genuine in wanting to shift from hospital beds to home care, it must show that by being supportive of the VON, a premier organization that was decades ahead of all governments in providing excellent community and home health care.

KINGSTON AND DISTRICT EXHIBITION

Mr Gary Wilson (Kingston and The Islands): I'm pleased to inform members that the Kingston and District Exhibition will once again be bringing the Memorial Centre in Kingston to life from July 21 to 25. There will be a combination of old and new attractions that will appeal to people of all ages and backgrounds.

Just a taste of the activities includes a midway, a parade featuring antique cars, agricultural competitions of animals and crops and the milking competition by local media representatives. Canada's own George Fox and Carroll Baker head up the entertainment roster, which includes old-time fiddlers, the Leeds county cloggers, square dancing, a demolition derby, a tractor pull and more. For the first time, an ambassador to the fair will be named. The Women's Institute will be providing refreshments in its tearoom.

1340

Mr Speaker, 1992 marks the 200th anniversary of Ontario's first agricultural fair. Fittingly, the theme of the Kingston and District Exhibition this year is "Building on Tradition," and what a marvellous rural heritage the Kingston and District Agricultural Society has to build on. This year's fair is the 162nd annual event.

Originally fairs were started to give farmers the chance to come together to develop better practices through friendly competition. This cooperative spirit evolved into the Ministry of Agriculture and Food, which now provides support to the farming community in so many ways, but the heritage of building strong farms also lives on in today's farmers and their organizations.

I applaud the members of the Kingston and District Agricultural Society for staging their exhibition once again this year. By giving city dwellers a firsthand experience of farm and rural life, it encourages vital support for a vibrant agricultural community. A province with farms is a province with a future.

CHEQUE CASHING BILL

Mr Charles Beer (York North): Social assistance was increased last year by a meagre 2%, hardly enough to help low-income Ontarians get by. Some recipients of social assistance, in spite of the increase, saw their benefits decrease by 4.9%. This is because they had to pay a fee to cash a government cheque. The exploitation of the most vulnerable and needy members of our society will continue for as long as the decision-makers in this government believe that charging a fee to cash a welfare cheque is a legitimate practice.

I'm trying to understand how the Treasurer reached the conclusion that recipients of social assistance would not be well served by Bill 154, introduced by the member for Carleton East. Why did he tell the president of the Cheque Cashers Association of Canada that the bill does not reflect current government policy when many of his colleagues have expressed strong support for this legislation? He has written that he supports the concept that social assistance recipients require 100% of their payments for daily needs. If he supports the concept, why does he not support the bill, unless he thinks that losing 4.9% of a welfare cheque is only a concept?

The concrete reality is that low-income Ontarians are experiencing severe difficulties in meeting their basic needs. They must resort to food banks to supplement an insufficient diet. This is no concept; this is the harsh and painful reality of poverty.

REVIEW OF HOSPITALS

Mr Jim Wilson (Simcoe West): Over the past three weeks, people from across Ontario have contacted me to express their concerns regarding the public hearings into the Public Hospitals Act.

In a letter to Bob Rae, the Ontario Conference of Catholic Bishops stated: "We would be alarmed should Ontario introduce legislation which would effectively divest Catholic owners of ultimate control of their hospitals." Religious hospitals, health care professionals and the public at large are concerned with the NDP's attempt to force a single solution on to the backs of hospitals throughout the province.

In St Catharines, those who came before the Wessenger panel gave overwhelming support to the idea of maintaining the system of volunteer hospital boards.

During a Public Hospitals Act meeting in Sudbury, Dr Jack Hollingsworth stated: "The government has made a power grab to administer the hospitals in a very monetary fashion without credence for other factors such as patient care and physician retention. It may work in other communities but it won't work in Sudbury."

In Thunder Bay, most of the presenters told the Wessenger panel that the act should have enough flexibility to accommodate the needs of all hospitals and that the success of hospitals is directly linked to the tireless commitment of volunteers.

I would urge the Minister of Health to listen closely to the pleas being made to the Wessenger panel, and I would caution the NDP against using the review of the Public Hospitals Act as a smokescreen to stack local hospital boards with union supporters while abandoning community volunteers.

FUNSTATION FUNPARK

Mr George Mammoliti (Yorkview): I rise today to commend the efforts of a very hardworking individual who is committed to working for the good of the community. Mr Don Pyatt is the owner of Funstation Funpark, an amusement park in my riding of Yorkview. He has worked diligently the past eight years to make the park what it is today: a clean, positive environment that is fun for children and adults alike.

Funstation Funpark offers Metropolitan Toronto the largest mini-golf course in Ontario, batting cages, a carousel for youngsters, bumper cars and a wide variety of games. It is now expanding to include an enclosed building to host banquets and group functions.

Mr Pyatt's Funstation is not only a thriving business, but it is also very involved in the community. We all know that communities must work together in these tough times, and Don is an excellent example of how community leaders can take an active role. Located at Jane and Finch, Funstation provides good, clean fun for everyone. It is noteworthy that the park offers a complimentary policy for handicapped and mentally or physically challenged individuals.

The park has raised funds in conjunction with many groups, including the Ministry of Transportation for the United Way. Funstation is currently planning a summer event with the Canadian Diabetes Association.

Honourable members, you can well see that Mr Pyatt's contributions to the community are just wonderful. I would like to welcome my colleagues to congratulate Mr Pyatt, who is seated in the east gallery, for his current expansion and to encourage his continued community involvement. We wish him the very best. Thank you, Mr Speaker and thank you, Mr Pyatt.

Hon Shirley Coppin (Minister without Portfolio): Mr Speaker, I would like unanimous consent to make a brief statement.

The Deputy Speaker (Mr Gilles E. Morin): Is there unanimous consent? Agreed? Agreed.

OLYMPIC ATHLETES

Hon Shirley Coppin (Minister without Portfolio): As we all know, this can be a House of heated debate and opposing views, but always we are colleagues sharing in each other's happiness. Therefore, on behalf of all the members, I wish to express our most sincere best wishes to Robert Marland, son of the honourable member for Mississauga South, in his pursuit of a gold medal at the summer Olympics in Barcelona, Spain. Robert is a member of the eight-man rowing team and he is competing in his second Olympic try.

Also joining with Robert are Bill Irwin and Mike Strange of the Niagara Falls Shamrock Boxing Club. I am sure all the members join with me in wishing these three special gentlemen and the entire Canadian Olympic team our best wishes for a truly successful Olympic games. I know he is already blessed by having Margaret for a mother.

Ms Dianne Poole (Eglinton): On behalf of the Liberal caucus, I would like to relay our best wishes to Robert in his endeavours. As members of this House, we often have difficulty juggling our family responsibilities and our responsibilities to our constituents. I think Margaret Marland has shown that she has given leadership to her family and to her son. I know she has supported him tremendously through the years of sacrifice he has put in in endeavouring to be part of the Olympic team. So please, Margaret, take to your son Robert and to the other members of the Olympic team our very best wishes. We know he's going to come back and you can probably show us the pictures of Robert with his gold medal. Best wishes.

Mr Ernie L. Eves (Parry Sound): On behalf of our caucus, we are obviously extremely proud not only of Robert, but of Margaret as well. I think it's all too often that we forget we are individuals. We have personal lives which we are quite often asked to put on hold, even in the middle of July, as it turns out. But I think the genuine spirit of sincerity that prevails in the House, at least for these few minutes, indicates that indeed we all are individuals and we have a great deal of love and respect for each other.

Mr Gerry Phillips (Scarborough-Agincourt): If I might, Mr Speaker, with the indulgence of the House, there's another person going to the Olympics who will be the son-in-law of one of the members at the end of August. The member for Northumberland's daughter is marrying a shot-putter who's on the Olympic team. I thought, in the

interests of all of us being aware of the members of the Olympic team, that I might point that out to the House and wish them the best of luck. His name is Peter Dajia.

1350

Mr Peter Kormos (Welland-Thorold): With yet further indulgence, and although not a relative, a friend and a supporter, thank goodness, young Tommy Glesby, the outstanding boxer from Welland, who I don't believe could have been overlooked by the whip in her recitation of famous and celebrated young people from Niagara participating in Barcelona: Of course, I wish Tommy the very best of luck. I don't think he's going to need it, because he's got a great right.

Mrs Margaret Marland (Mississauga South): May I express my heartfelt appreciation to all members who have risen to recognize our Olympic athletes. It's obviously very emotional for me personally and I deeply appreciate the fact that members of all parties would recognize our son Robert and also the other athletes who are already on their way to, if they're not already in, Barcelona.

The good news I would like to bring to all of us, because I think this is a story that is an inspiration for all of us within and without sport is that we spoke to our son two days ago and Silken Laumann is rowing so well you would not know she had ever been injured. Silken, who is walking on crutches and sometimes is in a wheelchair, is able to row when she's in her scull because it's upper body muscles that are used.

I think all of us with constituents who face different forms of adversity from day to day, and obviously people with injuries they sustain through many different causes, are inspired by the courage of Silken Laumann and her determination to represent her country. I'm sure that whether Silken Laumann has a medal or not, she represents for all of us what our proud young people in all sports on the Olympic team are about. I thank you today.

STATEMENTS BY THE MINISTRY

MINISTRY TRAINING SCHOOL

Hon Allan Pilkey (Minister of Correctional Services): Effective immediately, I am closing the Ministry of Correctional Services Bell Cairn staff training facility in the city of Hamilton. I am appointing an independent person to review the centre's operation since it opened last year, the ministry response and allegations of systemic harassment. That individual will make recommendations to improve the way this facility operates. This centre will not reopen until I am satisfied that it can operate in an appropriate manner.

As well, the Ontario Provincial Police today have announced that they are investigating allegations of two sexual assaults at the centre. I want to assure the individuals involved that their confidentiality will be strictly protected during this investigation.

I also want to reiterate the government's commitment to eliminate sexual harassment and to deal swiftly with allegations of this nature. As I have said previously, I take these allegations very seriously. On behalf of this

government, I am outraged at these allegations and the lack of information I have received from the Ministry of Correctional Services. This government and this minister will not tolerate sexual assault, abuse or discrimination in any form.

Hon Bob Rae (Premier and Minister of Intergovernmental Affairs): I have just a brief statement that I feel I should make myself since I'm the one who made the decision. I have decided to assign the Deputy Minister of Correctional Services to special duties within the Cabinet Office in light of what has taken place and, frankly, what has not taken place.

RESPONSES

MINISTRY TRAINING SCHOOL

Mr Sean G. Conway (Renfrew North): I want to respond to both statements made by the government this afternoon on a matter of very real concern, I know, to all members of the Legislature and certainly to the people of Ontario.

What does one say, particularly in response to the last statement made by the Premier? The public servant involved is someone I know, someone I worked with closely over the course of a number of years. I must say that in light of what the Premier has said and in light of what has not been said to date, one can only conclude the government now believes, and has information to support this, that no one in the office of the Minister of Correctional Services or in the office of the Solicitor General was apprised of the incidents that occurred in Hamilton some six or seven weeks ago.

I must say, knowing the public servants involved and knowing the system that has been in place within the Ontario public service for years, that I find that absolutely incredible. Those of us who have served in government know that each and every department has a mechanism in place to report, to the minister's office, what might be called significant incidents. I cannot imagine that this incident which occurred in Hamilton at the Bell Cairn facility on or about June 1, 1992, was not reported to the minister's office. We are apparently to believe that. I want to see more evidence than I have at the present time before I can conclude that is so.

As I said, I know the particular public servant, I know the traditions of the Ontario public service and I find the government's line today absolutely incredible.

I want to say as well that all of us take very seriously our responsibilities to rout out sexual assault and violence, particularly violence against women and children, and what we have here apparently is the following: Ontario public servants, female crown employees, were apparently assaulted—we are told by some, gang-raped—by other public servants on public property owned by the government of Ontario in or around Hamilton some six weeks ago and that no one in the office of the minister involved knew about it. It is perfectly incredible that could be so.

We have heard from this government, we have heard from the ministers, particularly the Minister of Community and Social Services but from the Premier himself, how

dedicated the government is to attacking the evil of sexual assault in this community.

Interjection.

Mr Conway: I'm told by the Minister of Health that's why this action is being taken today. I want to say that the only reason the House knows about this is because it is sitting and because a few days ago someone in the government of Ontario phoned the member for Leeds-Grenville, who reported this incident to the Legislature and to the province beyond. I think that speaks to incredibly negligent administration on behalf of this government in this very sensitive issue.

I want to conclude by observing that four weeks ago in Washington the Secretary of the Navy resigned from the Bush administration, not because he didn't personally know about the incident at Las Vegas some days earlier, but because the Secretary of the Navy said it was his ultimate responsibility to give leadership through the Department of the Navy for something this important.

In his letter of resignation, the secretary observed: "The tradition of our navy mandates that senior officials bear the ultimate responsibility for their command. I accept full responsibility for the handling of the Las Vegas incident and the leadership failure which has allowed such misconduct to occur." administration has a higher and better standard in these matters than the Rae government in Ontario.

1400

Mr Robert W. Runciman (Leeds-Grenville): Briefly to the comment made by the Premier this afternoon, it's passing strange and certainly disturbing that he is making an internal move like this without responding to questions posed in this House with respect to responsibilities and communication or lack of communication: the problems within the ministry. He's making this move without any explanation. I believe that is indeed unfortunate.

In regard to the statement by the Minister of Correctional Services, if this weren't such a tragic situation, this announcement would be laughable. He uses the words about the government's "commitment." Given the treatment of the women in this situation, the way this was handled internally by this ministry, this government, those are empty words.

We talk about allegations of a gang rape by provincial employees on the grounds of a provincial institution. The fact that the deputy minister knew about this, the fact that we find out today that the manager of the institution had sent a memo out to regional directors over a month ago and that we in this House and the public at large are to believe that a civil servant with over 20 years' experience in the government did not inform the minister, did not inform any other official at a senior level in government, simply boggles the mind. It's not acceptable.

The minister uses the words in his statement "will not tolerate." I want to say that on this side of the House we will not tolerate a coverup that may reach into the highest levels of this government.

Mr Michael D. Harris (Nipissing): I wish to respond directly to the statement that was made by the Premier

today. The minister in response to questions yesterday refused to answer direct questions that were placed to him that he would know the answers to. Questions such as: When did the deputy minister know? Questions such as: Did officials in his office know? We have not had any answers forthcoming as to: Who has talked with the deputy minister? Who did the deputy minister inform: who in the Premier's office, who in the Cabinet Office, who in the minister's office? And if not, why not?

What we simply have had today is the Premier making a statement of reassignment of a deputy minister, of a 20-year civil servant in this province, without any explanation. When we asked the question: "You've got to wait for the police study. You've got to wait for the investigation." But the Premier has now passed judgement.

Premier, as the member for Renfrew North pointed out, when we're dealing with accountability, when we're dealing with responsibility, as regrettable and as unfortunate as it sometimes is, when we're dealing with who is responsible for the lack of communication within his or her ministry, there is only one person who must accept that responsibility. That one person is the minister.

Premier, I would have understood and expected the minister to offer his resignation today. I would have understood and expected you to accept that even if it was until this investigation was over. I think anything less than that is unacceptable. It was unacceptable to the Bush administration. It was unacceptable to governments in this province until you took office and set new standards.

I am astounded that you made the statement today about the deputy minister. If it is you who is accepting this responsibility, if the deputy minister reports to you and not the minister, then perhaps you should resign. But I'm going to tell you this: That lack of communication, if in fact that's what it was, is the minister's responsibility and it is the minister's responsibility to resign until we get a thorough, independent investigation of what happened with this coverup.

ORAL QUESTIONS

MINISTRY TRAINING SCHOOL

Mr Murray J. Elston (Bruce): The Minister of Correctional Services has a series of questions to answer today. Can the minister tell us when he or his staff became aware of the tragic events we are talking about today?

Hon Allan Pilkey (Solicitor General and Minister of Correctional Services): I became aware and my staff became aware of the incident when it was brought to the attention of the House by the honourable member opposite, Mr Runciman.

Mr Elston: It's very difficult to believe that the minister would not have been aware, particularly when I have today a copy of a memo dated June 16 from Ms Klaassen concerning the tragic events of June 1, in which she says, "You may have heard that there was another unruly party at Bell Cairn."

Sent to the regional directors, some five in number, and circulated to regional managers, some 10 in number, plus to three senior directors at head office of Correctional

Services, this memo concludes, in a couple of paragraphs, this way: "During the course of this, a social worker counselling two female ministry staff advised us that they had been seriously sexually assaulted in the residence while here on course. In each instance, more than one male was involved."

The memo goes on, and perhaps this most tragically: "Unfortunately, these victims do not feel safe in bringing this situation to the courts because of feared retaliation of their peers." It goes on to say, "Of course, the staff at Bell Cairn were appalled that these women did not feel safe enough to talk to any staff here or to notify security."

The disturbing details of this memo were dispatched not only to the people indicated but, we are now told, although it has not been confirmed, the deputy minister actually was in possession of this memo the same date it was written, June 16, 1992. How can the Minister of Correctional Services ask the public of this province to believe that neither he nor his staff nor anyone close to him or to the people in the Premier's office could have been without notice of this very serious incident at Bell Cairn?

Hon Mr Pilkey: I think the issue has been raised by both spokespersons for both opposition parties that they find it incredible that the Minister of Correctional Services was not advised over such an important matter. I think therein lies the answer to their very own question. So do I find it incredible. I, as soon as I became aware of that situation, took the responsible actions which I have outlined to this House now on a daily basis, and you are aware of them, and that is the truth. It is the total truth and it is the fact of the matter.

Mr Elston: We know about facts as usually delivered to this place by those people, but let me go on.

Further from the memo: "While there have been rumours circulating"—and this is interesting. This is a memo of June 16 from the acting manager of that facility at Bell Cairn. This is interesting, because it says, "While there have been rumours circulating that the lounge was trashed, this is incorrect." It went on. It was left in a mess and there was some extremely tasteless decorating done with intimate female attire. This identifies that the ministry was rife with rumours about what has been divulged now, thankfully, by the member for Leeds-Grenville as a disturbingly unhappy event for all of us here.

The minister chairs a senior management meeting every single week in which he is told of events of a sensitive nature in his ministry. Every day he receives an incident report of every occurrence in every institution under his charge as Minister of Correctional Services. At least 18 senior people had possession of this memo as of June 16, and probably more. The rumours were all over the province throughout the Correctional Services ministry. I ask this minister to tell us how it was that he now says that neither he nor any senior staff in his office knew of these serious events, which were obviously all over the Correctional Services ministry.

Hon Mr Pilkey: I've responded very directly and very forthrightly, but if that very direct answer wasn't understandable—and I can't imagine how it was not

understandable—I suppose an additional answer might be, in the very same way, that the former leader of the official opposition didn't know, or perhaps to ask why the Correctional Services critic for the official opposition didn't know. A simple answer is that you could not possibly have known or responsibly act if you were not advised of that knowledge.

1410

Mr Elston: This is to the same minister, and it concerns the doctrine of ministerial responsibility, a doctrine that this government seems to have honoured more in the breach than in the observance. It's a doctrine of parliamentary democracy that a minister takes responsibility for the actions of his or her department. I ask the minister, is he prepared to take responsibility for the incident that occurred at Bell Cairn?

Hon Mr Pilkey: I have taken responsibility for the incident. The House and the public are well aware of the actions I have taken. I do in fact have a responsibility for that ministry, and the ministry officials have a responsibility to make me aware and knowledgeable of incidents and occurrences within that ministry.

At the very time I was advised of that, immediate actions were taken to launch a police investigation and to try to be extremely sensitive to individuals who are involved. I have been making additional announcements since that day with respect to the closure of the facility until I am satisfied that it might reopen in a successful way and that an independent person is being brought on board to review this total situation. All of those actions have been taken within hours of my being personally notified. I believe that's very responsible, I believe it's direct, and I believe it's immediate action.

Mr Elston: This really is a question of competence, a question of being responsible for management of the ministry. I want to convey to the minister, a man who has meetings once a week with his senior management people talking about sensitive incidents—he receives a report every day from his ministry about sensitive issues that have occurred so that he can be prepared and take action.

In 1983, concerning the democratic principles of ministerial responsibilities, Mr Rae, as he then was, just the member for York South, said it was a very strict principle, that "it is important in a democracy because unless we can hold someone in this assembly accountable, one has government, but no one and nobody is responsible."

I ask the minister once again: Will he take the right action and the appropriate responsibility for the occurrence of this problem at a facility that this memo identifies as having a history of unruly parties, and identifying that his own ministry, with whom he should be in close contact, was rife with all kinds of rumours of this unhappy event?

Hon Mr Pilkey: The member opposite has received a very honest, forthright explanation of the circumstance. I do not wish to take up the time of this House by being repetitive. I regret he cannot seem to understand or perhaps accept those very factual representations, but they are the facts. That is the situation. I was equally outraged at

the circumstance. When I became aware of it I acted very swiftly, very directly, very immediately.

I think as well that all members should be concerned with the issue and should be quite understanding of the direct action taken, once it was brought to the notice of the appropriate official.

Mr Elston: Make no mistake about the fact that we are here only because somebody in the ministry knew that the minister himself was not in charge of this ministry and would not take appropriate action until it became public under the auspices of the member for Leeds-Grenville.

I ask again, how is it that this minister refuses to bear the kind of responsibility that the Secretary of the Navy in the United States bore when he found out about the incident in Las Vegas? Can the minister tell us why he will not be as responsible as one of Mr Bush's people would be in the United States?

Hon Mr Pilkey: I don't know Mr Bush. I don't know the Secretary of the Navy. I haven't been in Las Vegas recently. To try to tie this very serious matter to that kind of landscape is not particularly responsible.

The member opposite has been told the factual, straight goods on this matter. I can't help it he refuses to understand or accept it. He has been given the absolute facts with respect to the matter. I can't help it that he fails to absorb them.

LABOUR LEGISLATION

Mr Michael D. Harris (Nipissing): Before we get into this coverup affair I would like to ask one last time the government and the Premier to bring some common sense to an issue that is splitting our province apart, costing us jobs, costing us investment and leaving scars that will take a long time to heal.

Premier, yesterday we finished second reading debate on your minister's disastrous labour law reforms. Yet even at this stage of the process your minister refuses to do an impact study. Instead, your government, your party and your minister have spent all their time attacking the research that others have done, whether it's Ernst and Young, Environics Research Group or now, I believe, the city of East York. Ironically, the legislation, Premier, that you said would bring business and labour closer together, working more cooperatively—which we all wanted—is actually driving them further and further apart.

Premier, since I get the impression you're getting ready to bolt and cut out of here for the summer, I ask you one last time: Will you, instead of barging ahead with this legislation as you plan, agree to a tripartite committee this summer of business, government and labour so we can deal with this issue without destroying our economy, without driving the parties further and further apart in the process?

Hon Bob Rae (Premier and Minister of Intergovernmental Affairs): I had a meeting yesterday afternoon with a group of business and labour leaders to talk about the overall climate of labour relations and the future of productivity and efficiency in the province. I can tell the member it was an enormously productive meeting. It was a very positive meeting. It was a very constructive meeting.

I can tell him I left that meeting to vote on second reading of the bill on the reform of the Labour Relations Act. I'm proud to have done so, proud to have had the meeting and proud to have been able to vote in favour of the Labour Relations Act reform.

This bill will be dealt with, as other legislation has been dealt with, by a parliamentary committee which will be holding hearings this summer to hear from different groups. There will be lots of opportunities for people to discuss and make suggestions about possible amendments. That's exactly how we're going to deal with the bill.

1420

Mr Harris: I'd like to quote from a recent column of Thomas Walkom in the Toronto Star, which may come as a surprise to Mr Walkom. It says: "Ontario MPPs continue to wrangle over proposed changes to provincial labour law. It is a debate marked by bitterness and excess. It should not have been that way."

Premier, I believe Mr Walkom is right. The poison in the air over this issue is bad for the province, bad for investment. So I would ask you, Premier, instead of discrediting your critics, instead of lashing out at concerned opposition, instead of having a summer of bitterness and critics who will be lashing out at you, driving the parties further and further apart, will you consider the option of bringing all groups to the table, as your NDP friend Michael Harcourt has done in British Columbia, with the support of business, with the support of unions, with the support of the people? Will you consider doing that, to discuss these reforms in a calm, cooperative and constructive way?

Hon Mr Rae: Of course, but I would have thought that, in fairness to Mr Walkom, you should quote other parts of what he has to say.

It says: "Hard-line rhetoric does not serve the province. One of the things that makes Canada a better place to live than the United States is that there are proportionately more unionized workers here—and thus proportionately more good jobs."

"Unions are not radical. They are essentially conservative organizations which help maintain a middle class that is solid and stable."

Hon Gilles Pouliot (Minister of Transportation): You'd better read the whole thing.

Hon Mr Rae: If you're going to read it, read the whole thing.

"It is no accident that the world's two most economically dynamic, socially conservative—and middle-class—nations, Japan and Germany, are extensively unionized."

"For employers and their legislative allies, a province without unions may sound tempting." Let me repeat that sentence. "For employers and their legislative allies, a province without unions may sound tempting. But in the long run, it's bad business. And bad politics." Thus states Mr Walkom.

Mr Harris: Yes, I agree, Premier, given that it is your legislation, given that it is your bill, given that it is your rhetoric, given that they are your statements—such as "a motley crew of business extremists," referring to the Canadian Federation of Independent Business and

Ernst and Young—that are elevating the rhetoric that is precipitating this argument, this debate, this fight that does not serve the province well, that is not in our interests. Given that only you as Premier have the option to take the Michael Harcourt route, only you can—as you just said in this House today, you had a very productive meeting, where you brought business and labour together to meet with you in that forum—show the way, because you're setting the agenda, because you hold all of the cards, because you're the boss, because you have a majority, because you have the clout.

So, Premier, instead of elevating the rhetoric, instead of having your party spewing out all its rhetoric and eliciting the type of responses we're getting from some in the business community, instead of the irrational paranoia we're getting from your minister about attacks, instead of accusing the media of NDP-bashing, you have a choice to do something a little different. I would ask you one more time: Why will you not take the option of bringing business, labour and government together in a different forum other than the confrontational one that you have set up to date?

Hon Mr Rae: Mr Speaker, we are doing exactly what the honourable member is suggesting. All the rhetoric in his question aside, his suggestion that we bring business and labour together—we have the Premier's Council, we have the special committee which I've established of senior business and labour leaders, which I met with yesterday. We're having a very constructive dialogue, and the theory somehow that what is going on here is proving enormously divisive for the province is a theory that I simply don't accept.

MINISTRY TRAINING SCHOOL

Mr Robert W. Runciman (Leeds-Grenville): I have a question for the Premier and it relates to the problems within the government, specifically the Ministry of Correctional Services.

Yesterday in his announcement the Minister of Correctional Services indicated that you had called on the Secretary of Cabinet to investigate internally as to why the system broke down, why the minister wasn't informed and why other members of the government were not informed of this very serious allegation.

Mr Premier, with respect to the reporting mechanisms—and you will perhaps want to elaborate on this—as I understand it the Secretary of Cabinet is the senior civil servant within government and the deputies are directly answerable to the Secretary of Cabinet. This, in my view, raises some concerns. If the deputy minister failed to report to the minister, did she report to the Secretary of Cabinet? Did the Secretary of Cabinet inform anyone in the Premier's office? What I'm getting at here is that this raises a whole series of questions about the appropriateness of the Secretary of Cabinet being appointed to conduct this investigation. How does the Premier justify this appointment?

Hon Bob Rae (Premier and Minister of Intergovernmental Affairs): First of all, let me say to the honourable member that there are basically two issues we've had

to deal with since he raised this question. There are two sets of problems. There is a general systemic problem with respect to the issue of sexual harassment at the centre. On the basis of the information I received this morning I became satisfied that there has been a problem there for some considerable time; in fact, almost since the centre opened.

This government has an obligation to provide workplaces and study places which are free of any kind of sexual harassment. From the information I received today, I'm satisfied that we were not doing that. Over a period of months, information with respect to a number of incidents was not shared with the minister, was not shared with the Premier's office or with anyone.

The second particular incident was an allegation with respect to assaults on two women. That information was provided to the deputy on June 5. While the deputy took action which she felt was appropriate within the ministry, at no time did she inform either the Secretary of Cabinet, the minister or anyone in the Premier's office with respect to these allegations.

The deputy minister is a person of great ability and of great integrity, but I have to make it very clear that I think there was a fundamental error of judgement in not relaying this basic information to those in government, in the cabinet, who have a responsibility for taking action. I can tell the honourable member that if I had known of the extent of the problem earlier we would have closed the centre earlier. There's no way we can tolerate this kind of atmosphere in which, according to some information, women were afraid to stay at the centre because of the overall climate of harassment. I can't tell the member how entirely unacceptable that is.

The Speaker (Hon David Warner): Could the Premier conclude his response.

Hon Mr Rae: While steps were taken and while efforts were made to deal with the problem, I don't feel they were adequate. I don't feel they were sufficient, and that's why we're taking the additional steps we've announced today.

Interjections.

The Speaker: Order. The supplementary is for the member for Leeds-Grenville. Order.

Mr Runciman: Those are fine words, but the actions to date simply—

Interjections.

1430

Mr Runciman: I was saying that those are fine words from the Premier, but the actions simply don't match up to the rhetoric. He completely avoided the question I directed towards him, and that's the appropriateness of a senior civil servant conducting this investigation.

The reality is the system isn't working, the system failed. A civil servant came to me when the system failed, anonymously, afraid of retribution, and you're telling the people of this province that we should be happy and content that the man in charge of this failed system, a man who may himself be involved, is conducting the investigation.

Premier, that doesn't wash. Your solution stinks. You're putting a fox in a henhouse, and if you persist in this stand, you are part of this coverup.

I sent over to you a copy of a resolution I intend to table later today, calling on you to immediately appoint an independent commissioner under the Public Inquiries Act. This will bring in an independent third party to review this situation. Will you agree to this?

Hon Mr Rae: We have already agreed to bring in an independent third party in order to deal with the question of systemic harassment and to deal with the question of the operation of the centre.

Let me say to the honourable member, the reason we couldn't go the public inquiries route, and I can assure him the thought came to my mind very quickly, was precisely because of the fact that there is now a police investigation ongoing. He will know that problem as a structural problem with respect to the issue. Perhaps he won't accept it, but he will certainly know that's a factual reason.

I would only say that the kinds of comments the member is making about the Secretary of Cabinet, who was appointed as Secretary of Cabinet by a previous government, somebody who has served all three parties in government for a considerable period of time, I think are most unfortunate and I'm really quite surprised that he'd make those kinds of comments.

Mr Runciman: I think what the Premier says is something of a red herring, unless the police are investigating the deputy minister for possibly obstruction of justice. If that's the case, then your argument holds water; otherwise it doesn't. It simply doesn't.

The system has failed, and now you have the head of the system investigating why it failed. It's a ludicrous situation, insulting to the people of the province, especially the women of this province. A senior civil servant contacted me because he didn't trust the system. He didn't trust this government. Now you're going to those who failed to find a solution, and that's simply, as I said, a ludicrous situation.

I'm imploring you, Premier—imploring you—to try to appreciate how the victims in this situation feel, how the people at large feel about this, and once again ask you to bring in an independent third party to carry out a thorough investigation.

Hon Mr Rae: That's exactly what we're going to do. That's exactly what we're doing.

The Speaker: New question.

Mr Robert V. Callahan (Brampton South): My question is to the Solicitor General, who wears both hats, Solicitor General and Minister of Correctional Services. It's a very simple question for the minister who wears both hats of Solicitor General and Correctional Services. It appears as though you're going to have the police investigate this incident as well as the Grandview incident that's already under investigation. How can you possibly justify that?

Hon Allan Pilkey (Solicitor General and Minister of Correctional Services): I'm somewhat befuddled by the question. Is there some question about the OPP's capability or credibility? I don't understand. They are an investigative force. They are highly competent, highly regarded.

They will deal with all investigations in the very capable manner they always have.

Mr Callahan: Clearly the minister doesn't understand that by wearing both hats, Correctional Services as well as Solicitor General, what in fact is happening is that one arm is investigating the other arm. How can you possibly allow the people out in the public to understand that justice is not only being done but appears to be done when in fact that's what's taking place? In fact what you're doing is that one branch of your ministry, one of your hats, is investigating the other branch of your ministry.

I suggest to you, Minister, the only honourable thing for you to do is to either, as was suggested, have an independent tribunal look into this issue or, in the alternative, do the right thing and resign one of those portfolios.

Hon Mr Pilkey: The member opposite draws a very long bow in terms of the question he has just raised. I think, quite factually, evidence will show in a myriad of situations where investigations of this type—even if there is, as the member opposite suggests, some sort of duality, there's an absolute separation. They are all concluded to an appropriate conclusion. I think I understand that kind of question from an opposition party, but I really don't think it bears up.

The Speaker: New question.

Mr Runciman: I have a question for the Minister of Correctional Services and once again it concerns the cover-up by ministry officials of sexual assault allegations at the Bell Cairn training centre.

Newspaper reports have confirmed that the Deputy Minister of Correctional Services met personally with the head of the Bell Cairn centre on July 2 to discuss rape allegations. We had to find that out in the halls and in the media. The minister would not admit that to us yesterday. Will the minister today be somewhat more forthcoming than he was yesterday and tell the House whether any of his ministerial staff attended that meeting on July 2?

Hon Mr Pilkey: Not to my knowledge. With respect to any of the questions vis-à-vis the alleged assault which is now the basis of a police investigation, I would defer comment until the conclusion of that investigation.

Mr Runciman: The minister has to understand that it's incumbent upon him to tell the people of Ontario whether anyone in his office was aware of the sex assault allegation before I raised the issue on Tuesday. Your refusal to come clean on who knew about the allegations and when they knew about the allegations suggests that your office knew about this alleged gang rape but chose to do nothing.

I think the minister has to realize that he can't unequivocally say no one on his ministerial staff was aware of the sex assault allegations before Tuesday afternoon. Then he, the minister, implicates himself and his office—the perception that someone in his office knew. I'm giving him another opportunity to address this. I have the name of an individual, we've been advised, in his office who was so informed.

Hon Mr Pilkey: I've responded to the question. I've responded to it directly and factually. I was not advised of

this situation, as I've indicated in the House, and if I respond to the question many times over, the answer will not change.

YOUTH EMPLOYMENT

Hon Tony Silipo (Minister of Education): I actually want to respond to a question raised a couple of days ago by the member for Scarborough North. At that time the member raised some questions about Jobs Ontario Youth and specifically around the guidelines. As well, he relayed to the House and to me some concerns he had, or one of his constituents expressed to him, about some inappropriate questions asked by a counsellor of a young person applying in a centre in the Metropolitan Toronto area.

Having had a chance to look at the situation, I have provided the member with a copy of the guidelines we have issued as well as the intake form to be used. In those guidelines, as members will recall, the efforts of Jobs Ontario Youth were to reach out to the black community and black youth by ensuring that the existence of the program was communicated to them, because one of the objectives of the program was to reach disadvantaged youth.

The guidelines state that the objective of the program is to provide summer placements to youth facing systemic barriers to employment, particularly black youth. Beyond that they provide the usual administrative guidelines, as the member will see from looking at the guidelines.

The second concern he raised dealt with the inappropriateness of the questions and the question of quotas. I want to say to him very clearly that no quotas have been established through this process. The concern that might have been expressed with respect to the centre was that the particular centre the member referred to has traditionally served community with about the kind of ratio of breakdown of racial minorities he indicated in his question, but very clearly this in no way reflects any ratio or quotas set by the program.

The Speaker (Hon David Warner): Could the minister conclude his response, please.

Hon Mr Silipo: In fact in our guidelines and instructions to the agencies we've made that very clear. Since these concerns were expressed to me, I've undertaken to ensure that those concerns were relayed to the particular centre. My understanding is that the director of the centre has met already with the staff to discuss the situation and will be pursuing it further.

1440

Mr Alvin Curling (Scarborough North): I really want to thank the minister for getting back to me so quickly on the matter and sharing with me the guidelines of Jobs Ontario Youth. But, Mr Minister, your response begs the question as to the method or methods being used to train those counsellors. I see nothing wrong with the form—normally it's just a form—but I think those counsellors who are there are not trained properly. That's the impression I get here.

I should also, while I'm on my feet, just bring to your attention that I met with some young black people in Mississauga yesterday. They feel that the program itself

has run out of gas. It has not served them properly. They are not getting proper service. I still feel, first, that the funds are inadequate and, furthermore, that the counselling relationship between the client and the counsellors is completely inadequate. Could you comment on the training process that is in use for those counsellors?

Hon Mr Silipo: I appreciate the question. A number of sessions have been held with people from the various agencies that we are working with to deliver the programs. At this particular centre we are dealing, I am told, with people who are very experienced in the way of counselling and providing these services to young people. I have to take from that that the incident the member relayed to us a couple of days ago is unique and quite frankly one which, as I indicated then, if it did happen, should not have happened and should not continue to happen. I am satisfied that the information we've provided, not just on paper but through sessions we've held, is adequate and continues to make those points about the usefulness of the program.

Second, the issues that were raised with respect to the concerns that the member has heard in a broader sense about the program are certainly ones we would be delighted to keep looking into to see what can be done, but we believe this program is providing a very useful service and addition to the kinds of jobs needed in some of the centres in the province aimed, as they are, to address some of these systemic problems we've had over the years.

MINISTRY TRAINING SCHOOL

Mr Sean G. Conway (Renfrew North): My question is to the Minister of Correctional Services. I want to briefly review what we've seen and heard this afternoon. The Premier has sacked the Deputy Minister of Correctional Services. We have from the member for Bruce a very incriminating memorandum of June 16, circulated throughout the executive branch of the Ministry of Correctional Services, indicating just how serious problems were at Bell Cairn. We now have the honourable member for Leeds-Grenville alleging—and he will perhaps return to this—that in fact it appears to him at least that someone on the ministerial staff of the honourable Minister of Correctional Services sat in on a meeting some weeks ago where this issue was raised.

This is now taking on the quality of Iran Contra. We are being asked to believe that all of this was going on and the minister did not know. My question to the responsible minister is the following: Do you ever go to the Ministry of Correctional Services? Are we right in assuming that you take a weekly briefing from senior staff as to issues before the department? Is there in fact a significant events mechanism reporting to your staff? Specifically, did the deputy minister tell you why she never raised the issue with you and did she give you an assurance that she or no one else in the ministry ever spoke to anyone on your ministerial staff?

Hon Allan Pilkey (Solicitor General and Minister of Correctional Services): The member opposite is correct. The deputy minister did not advise myself or members of my staff of this incident.

Mr Conway: I look at the overall situation and what was going on in the department and I'm left incredulous at this situation. If you go to those meetings, do you sleep through the management meetings? It's a serious issue. The Premier has sacked the Deputy Minister of Correctional Services. That's what he's done. We have Mr Elston's copy of the June 16 memorandum where it is manifestly the case that senior officials in the department knew. We're being asked to believe that for weeks the responsible minister has been going to management committee meetings in the department for which he is responsible, and he and his staff knew nothing, heard nothing, saw nothing, read nothing.

Let me ask you, Ronald Reagan, what do you do as the responsible minister? Did you and do you sleep through the management committee meetings at the department of correctional affairs? And how is it possible, Mr Reagan—

The Speaker (Hon David Warner): Will the member conclude his question, please.

Mr Conway: How is it possible, Mr Reagan, that this kind of memorandum could be circulating through your department weeks before the honourable member for Leeds-Grenville raised this issue in this House and you did not hear? Surely the only justification is that you're either incompetent or a fool—

The Speaker: Would the member conclude his question, please.

Mr Conway: —and on either ground, you are duty-bound to resign.

Interjections.

Hon Bud Wildman (Minister of Natural Resources): Do you have any empathy at all for the people involved?

The Speaker: Order.

Hon Mr Pilkey: I have responded factually and correctly, and beyond that, I am not going to grace that kind of a diatribe, which is not based on anything other than politics, with an answer.

Interjections.

The Speaker: Order. Would the member take his seat, please.

Interjections.

The Speaker: Would the honourable member for Renfrew North take his seat.

Mr Conway: You are responsible as a minister of the crown. This is a very serious incident and you have failed in your duty. The Premier has sacked the deputy and this fool stands in his office. I tell you, that says it all on this government.

The Speaker: Would the member take his seat.

Interjections.

The Speaker: Order. I ask the member for Renfrew North to withdraw his remark, which is insulting to any member of the House, and I believe the member knows the particular word to which I refer. I would ask him to withdraw it so that we can try to maintain—

Mr Conway: Mr Speaker, quite frankly, I will be as responsive as I can, but what I said that I think you might be concerned about is that on the basis of what the government has said here today, the minister of corrections, in my view, is either a fool or an incompetent. That is the only explanation for his complete maladministration. I don't consider that anything but factual on the basis of the breathtaking actions and explanations given, and I don't feel that that could in any way be offensive. That minister stands here and—

The Speaker: Would the member take his seat, please.

Interjections.

The Speaker: The reference to which I was referring—the member will know that it specifically outlines in our standing orders that we should not use language which is insulting, and the member referred to another member of the House as a fool. That is not language which is helpful in any way and it is indeed unparliamentary. I would ask that the member withdraw it in an attempt to try to restore a better atmosphere in this chamber.

Mr Conway: I am sorry. I'll leave, because this explanation is absolutely unacceptable. What has been done to Ms Palozzi is outrageous. The member is a fool, the Premier is a clown and I'll leave.

Interjections.

The Speaker: Order. I believe the member for Mississauga is next in line for questions.

1450

Mrs Margaret Marland (Mississauga South): The Minister of Natural Resources asked if we had any empathy, and I would say to him yes, we have a great deal of empathy for the victims of this gang rape.

My question is for the Solicitor General. The minister has repeatedly insisted that he knew nothing about this extremely serious allegation until my colleague the member for Leeds-Grenville raised it in the House this week. I suppose we can assume then that when the time comes to lay blame, the minister will be lining up with the three proverbial monkeys: see no evil, hear no evil and speak no evil. Minister, it is that kind of not-my-problem attitude that has led to generations of women being afraid to speak up when injustice is done, because no one wanted to listen.

You cannot shuffle this on to someone else's shoulders. Will you accept responsibility for your ministry's apparent coverup of this violent and cowardly incident?

Hon Mr Pilkey: Now that I am informed, this actually gives me the opportunity to ensure that the very kind of appropriate circumstances the member opposite outlines in fact will be achieved, and I will do so.

Mrs Marland: Minister, it simply is not good enough. It is not good enough for you to tell this House that you didn't know what was going on. It is not good enough to claim that it's someone else's mistake. It is your mistake. It is your problem, because violence against women, as your own government rightly points out, is everybody's problem. Will you leave your government with one tiny shred

of credibility and principle? Will you do the right thing and resign or at least step down during this investigation?

Hon Mr Pilkey: Certainly not. What I'm going to do is ensure that those circumstances that were negative and unwanted are replaced by the kinds of circumstances in which women of this province can feel very confident. I'm staying on to do exactly that job.

AGRICULTURAL LAND

Ms Christel Haeck (St Catharines-Brock): My question is to the Minister of Agriculture and Food. Mr Minister, as you know, farmers in my riding remain extremely concerned about the future of agricultural land use in Niagara. In fact, just last week I presented several petitions in this House from constituents who are asking our government to immediately come to the aid of farmers in the Niagara area.

Some months ago, you appointed a committee to study the idea of establishing a system of conservation easements which would pay farmers not to develop their land. Many of my constituents, people like Arnold Lepp and Gracia Janes, are represented on that committee and I know they have been working very hard to try to come up with a way to put such a system in place. Mr Minister, I would like to ask you what the status of this committee's study actually is and when we in Niagara can expect some action on conservation easements.

Hon Elmer Buchanan (Minister of Agriculture and Food): The committee she refers to is actually a subcommittee of a larger group looking at agricultural land use in the province. We are looking at how we can save agricultural land for the purposes of agriculture.

There's a lot of interest in the Niagara region in conservation easements because of the difficulty faced by tender fruit farmers. As a result, we set up a subcommittee to look specifically at conservation easements. It's my understanding that committee has almost completed its work. They have asked me for a meeting to present their recommendations. I'm hopeful of meeting them some time in early August so they can present their recommendations and proposals for conservation easements, which I understand at this point will only apply to the Niagara region. We will then see how we might use their recommendations to save agricultural land as well as the tender fruit industry in the Niagara region.

Ms Haeck: Mr Minister, I know you're aware of the hailstorm that occurred in my area and the concerns that are being voiced by farmers, as well as their constant concern about preserving our agricultural land. In fact, some of these growers are talking about giving up and not farming any more. Recognizing that it could be several more months before a decision is made on a province-wide system, is there a possibility we could consider having a system of conservation easements in Niagara on a pilot project basis?

Hon Mr Buchanan: It's early to suggest whether there would be a pilot project in the Niagara region. I want to see what the recommendations are, see what the potential costs are, and obviously then I would have to take

forward any new policy commitment to the cabinet, to my colleagues for approval. That will take some time. I obviously will not be able to respond at the time of the meeting that I mentioned earlier as to whether there's a cheque ready to be mailed out. It will take some time, but we will give the committee report serious consideration because I understand and recognize the seriousness facing the tender food industry down in the Niagara region.

MINISTRY TRAINING SCHOOL

Ms Dianne Poole (Eglinton): I had intended to ask a question of the Premier, but since he refused to stay in the House I will instead ask it of the Minister of Correctional Services.

In yesterday morning's scrum, the minister responsible for women's issues suggested that the women who were victims of sexual assault at Bell Cairn had to come forward before their complaints could be investigated. In fact, she went so far as to suggest that investigations could not be started on unsubstantiated rumours. At 1:30 yesterday, the Minister of Correctional Services announced that two separate investigations were under way into these so-called unsubstantiated rumours.

My question for the Minister of Correctional Services is, what changed in those four hours that suddenly an investigation would be launched, other than the fact that complaints your government regarded as unsubstantiated, and therefore not worthy of investigation, were suddenly under great scrutiny by the press and the public?

Hon Allan Pilkey (Solicitor General and Minister of Correctional Services): Quite simply, as the House well knows, the matter came to my attention through the House from the member opposite. We immediately attempted to find information and detail. It is even now, I think, only about 48 hours since that happened. I have made daily responses to the House. I don't really think anyone could have expected anyone who had not been advised prior to have instant knowledge and instant judgement on the situation. Very clearly we have acted effectively, very decisively and in a very prompt manner.

Ms Poole: I find it very strange that in the morning the minister of women's issues is saying one thing and suddenly, four hours later, all the facts have come to the minister's attention so he can launch an investigation.

I have in my hand a copy of Carole Klaassen's June 16 memo, where the issue of the sexual assaults at Bell Cairn is raised. According to the memo, the Bell Cairn staff blamed the women for not coming forward. Then the Toronto Star printed, and I'll quote from the article, that the Minister of Correctional Services "said Tuesday that he could understand why no one reported the allegations to him since the women were unwilling to personally come forward."

The Bell Cairn centre blamed the victims for not coming forward. The Minister of Correctional Services has blamed the victims for not coming forward. That's also what the minister responsible for women's issues has done. How can women trust this government to protect them when the first thing the government does when it's put to the test is to say an investigation can't be started on

unsubstantiated rumours and the second is to put the blame on the victims for not coming forward?

Hon Mr Pilkey: I reject the characterization that the member opposite has made of these circumstances. I think it's very clear—and the member should take heart from the fact—that we have almost immediately launched a police investigation. We have undertaken to be very mindful of the sensitivity of individuals who may be involved, which is very important. We have closed the centre. We are appointing an independent person to ensure that the operation, procedure and safety, and the fact that there will be no discrimination at that centre, will be the order of the day. We have moved in a very active way to do all those things in order that we ensure the safety and rights of women in this province. That's what we've done. It's been almost immediate, once the information reached my attention. I think that's very positive.

The Speaker (Hon David Warner): New question?
1500

Mr Robert W. Runciman (Leeds-Grenville): Again I have a question for the Minister of Correctional Services. I asked him a question earlier in respect to his staff and if any member of his ministerial staff was aware of the sex assault allegations. I want to broaden that and expand it somewhat and not simply confine it to staff within the Ministry of Correctional Services, but to his personal staff at the Ministry of the Solicitor General. Has he asked all of his staff if indeed they were aware of these allegations?

Hon Mr Pilkey: The answer is, as I have said previously, no member of my staff was advised of this incident in either of the ministries that I have responsibility for: that of the Ministry of Correctional Services or that of the Ministry of the Solicitor General.

Mr Runciman: That's difficult to believe. The Premier was just quoted in a scrum outside, "Serious problems in the ministry going back several months which were relayed in various reports." So it's difficult to understand that the minister's staff, who were there, I would assume, to protect him and report to him, would not be aware of these goings-on contained in various reports, according to the Premier of this province.

We were advised—I can't indicate that it's accurate, but I think it's incumbent upon me to indicate it in the House today—that a staffer for you, a Mr Cim Nunn, who works within the Ministry of the Solicitor General, was indeed advised of these allegations and was aware of the sexual assault allegations before I raised them in this House Tuesday afternoon. Can you assure the House this afternoon that Mr Nunn was unaware of those allegations?

Hon Mr Pilkey: How many times can I say it? I or my staff were not advised of these circumstances with respect to Bell Cairn.

DRUG BENEFITS

Mr Dennis Drainville (Victoria-Haliburton): I'd like to address my question to the Minister of Health. Madam Minister, let me put before you a most puzzling case, which has led to some serious questions on the part of one particular citizen in Ontario. This citizen, a 90-year-

old woman from a village in another riding, received prescriptions from her doctor to aid her in maintaining good health. The prescriptions were for well-known and widely used drugs. They were given to her from the local pharmacy in her village.

As this person is over 65 years of age, the cost to the government was as follows: For one particular drug, the cost was 21 cents, the fee of the pharmacy \$9.99, for a total of \$10.20. Another drug was \$2.66, a \$9.99 fee, the total \$12.65. The last one was a vitamin that was needed, \$2.21 the cost, a \$9.99 dispensing fee, \$12.20 was the total cost. The total cost of the drugs and vitamin was \$5.08, the total fee charged was \$29.97, the total being \$35.05.

As you can see, Madam Minister, the fees charged by the pharmacy are exceedingly high. Added to this is the fact that this particular woman used to get three months' supplies of her drugs, but has been told recently by the pharmacist that it can only be given on a month-to-month basis. This new policy is not only inconvenient for this particular woman, who is also having difficulty seeing—

The Speaker (Hon David Warner): Would the member place his question, please.

Mr Drainville: —but more important, it could also be an abuse of the Ontario drug benefit plan.

Madam Minister, I ask these questions: As regards the policy of only filling prescriptions on a monthly basis, whose policy is this—the government's, the doctor's, the pharmacist's? Is this potential abuse of the drug benefit plan going to end? What is the minister doing about it?

Hon Frances Lankin (Minister of Health): It's a very good question; I only hope the Speaker will give me enough time to answer all of the elements of that.

First of all, with respect to the amount you outlined of the actual dispensing fee that was charged, in Ontario there is a structure where there is a charge for the drug and a charge for the pharmacist's work, a dispensing fee. For those people who are covered under ODB, the Ontario drug benefit plan pays a dispensing fee of \$6.47. We froze that this year. I am a bit perplexed at the number you raise. If that in fact is the case, and it's being charged to ODB, then I think we have a problem that should be investigated. I appreciate that with the assistance of your constituent we might be able to look into the particulars of that case.

On the more generic issue of the length of prescriptions and where that responsibility rests, the Prescription Drug Cost Regulation Act currently states that pharmacists must dispense the prescription as it is written unless the patient requests a smaller quantity. They of course can always call and discuss this with the physician, but it really comes down to the physician prescribing an amount. There have been a number of recommendations from reviews on reform that for certain drugs, particularly for seniors and chronic conditions, there should be longer prescriptions. We are hopefully, with the secretariat reform, looking into this, a review of eligibility and a number of other issues and are going to be coming forward with this issue of longer prescriptions.

We may be able to take some short-term actions. I sent a letter very recently to pharmacists and other stakeholders,

asking their input on this. We may be able to move in the short term on this, but the bigger issue will have to be reviewed in the context of the drug secretariat reform.

LEGISLATIVE PAGES

The Speaker (Hon David Warner): The time for oral questions has expired. I wish to draw to the attention of the House that this is the last day for our current group of pages. The members should know that these pages, who had served here previously, volunteered to give up a portion of their summer so that they could serve the House. I think they've done a great job.

PREMIER'S QUESTIONNAIRE

Mr Gregory S. Sorbara (York Centre): On a point of order, Mr Speaker: As the Speaker, you are the Chair of the Board of Internal Economy and preside over this House and the budget of the expenditures of the members of this Legislature. As such, sir, I think probably this matter ought to be drawn to your attention under a point of order.

As you know, some \$5 million or more is provided for members for the publication of householders—that is, flyers that we send three times a year to our constituents to inform them in a non-partisan way as to what is taking place both within the Parliament and within the government of the province. Sir, part of the current trend in householders is to include questionnaires. I think that the rule about non-partisan questionnaires or surveys would apply equally.

I want to bring to your attention the latest householder and survey from none other than Bob Rae, MPP York South, the Premier of the province, in which there are two questions placed to the residents and constituents of York South. The first reads in the form of a statement, "I feel that the New Democratic government is doing a good job." The first box says, "Creating jobs," "Maintaining services," "Controlling the deficit," "Other." There is a second question, and it reads as follows, "Given that this is the worst recession since the 1930s, I think the New Democratic government is doing as good a job as can be expected." "Agree." "Disagree."

I want to submit to you, sir, in all seriousness that this expenditure and this questionnaire by the Premier of the province represents an abuse of the expenditures of this Legislative Assembly and that you ought to take up this matter because the Premier should be setting the highest standards for the expenditure of—if I just might make one more point, this kind of electioneering is permitted out of caucus budgets. That is, the New Democratic Party can spend its money any way it wants, even on silly surveys, but the taxpayers' money allocated for householders ought not to be expended in this foolish and offensive way.

I ask you to look into it and to ensure that the expense for this householder is personally paid by the Premier or—

The Speaker (Hon David Warner): The member for York Centre indeed identifies quite properly that the Speaker has an opportunity to take a look at these matters when they are brought to his attention. I would appreciate it if the member could forward the actual document.

Indeed I would be quite happy to take a look at the matter and report back to him later.

1510

PARLIAMENTARY LANGUAGE

Mr Murray J. Elston (Bruce): Mr Speaker, on a point of order: I'm not sure around which standing order it would revolve but it does revolve around your intervention today in the House proceedings to require the member for Renfrew North to withdraw the word "fool" as it was used, I guess, in the context of his question.

There has been, over the years I have been here and much longer than even my presence, a sense of the words that shouldn't be used in this House and that this chamber then would require a person to withdraw the use of those particularly offending words. All the time I have been here the word "fool" has not been one of those words that has been identified. There have been particular uses of words and phrases, and used with a tone of voice, which have always caused some dislocation but which have never been identified, at least until today, as being unparliamentary and hence requiring the intervention of the Speaker.

If it is, Mr Speaker, your will that there are to be added new ones to the list of words which we know about as being unparliamentary, and if it is in fact your will that the intonation of use of words which by themselves are not offensive or have not been seen to be offensive be added to the list for unparliamentary usage in this House, then could you let us know what those are and can you identify how it was that you came to determine today that in fact the words should be withdrawn?

I don't countenance the raising of some fuss in this place, but it happens in the course of the event without using words that have been banned here. I ask you to identify the new list. I ask you also, Mr Speaker, to provide us with some assurance that when words are used that offend any of us we can rise right at the moment and ask you to have the person who used them withdraw them, whether they're on the list that we know about or not, because it would appear that there is a new test with respect to language, words and phrases being applied now in this House.

The other issue, just before you respond to that, Mr Speaker, is that your intervention in this regard took up almost three minutes of time in the question period. I understand your will to solve behavioural problems of the members here, but in that regard it probably cost another question of the House during a day when the debate has been seriously focused upon incidents that none of us think should occur. I'm talking here not only for the opposition but also for the government party.

I think, Mr Speaker, if you could provide us with some assurance that you will be circulating for us the new list or the new test or something so that we understand when you're going to intervene, that would be of some help to all of us.

The Speaker (Hon David Warner): To the honourable member for Bruce: I know that by his very example he shares the same concern I have with respect to the language which is used in the chamber. Indeed the member

will know and it would be absolutely correct that should it not ever be necessary for the Speaker to stand during question period in order to restore order, there would be very many more questions that would find their way to the floor. It is always with reluctance that I find I must stand to interrupt the proceedings, because all the members should have an equal opportunity to be able to ask questions and receive responses.

I understand full well his concern. I must say to him that there is no list of unparliamentary language and that indeed, as the member will know, those who are skilled in the use of vocabulary will find that in certain circumstances an individual word is found to be unparliamentary but in other circumstances it is allowable. It depends on the context; it depends on the general atmosphere in which it is used.

Today it was my observation that the particular word was used in such a way as to be insulting to another member of the House. To use any vocabulary that could be very easily determined to be insulting or denigrating in any way should not be acceptable.

I wish that I could provide a list for the member. I suspect that if I were able to do so, the list would be quite lengthy indeed, because of the very nature that it is often the context which determines the situation. Second, any language which causes disorder can be ruled to be unparliamentary, because the language in and of itself is not necessarily unparliamentary but it has been used in a way to create disorder.

It is a difficult and tricky business, I acknowledge to the member, but all I can do is to caution all members to try to use temperate language and to try to avoid using any language which could be determined to be insulting or as not respectful of other members of the House.

Last, I share with him the frustration that we be able to utilize every moment possible for members of the House, especially private members on the opposition side, to be able to ask questions of the government of the day. That is what I try to achieve. Some days it's not easy.

Mr Elston: Just to clear the reason why I raised it in this context, I was asked the other day, and I think appropriately, by you to withdraw the phrase "corrupting the truth" because you found it offensive, and so did the member for Windsor-Riverside. But at that particular time things were being said that were offensive to me and were impugning my motives, I felt, and it caused grave disorder, but you chose not to intervene when he uttered those words. I'm asking you, I guess, to consider the problem—

Interjection: Sit down.

Mr Elston: Who wants me to sit down?

Mr Speaker, I just want you to consider the problem that with interventions, if you are prepared to make them, if a member identifies them to you, are you prepared now to stand and ask somebody to withdraw the offending language at each turn? I'm only asking you that because my problem is that you can't do it sometimes and not do it the rest. You've embarked, it seems to me, on a very difficult task, maybe more difficult than you now understand.

The Speaker: The member makes a very fair and reasonable request. I can assure him that with any intervention by any member of this House, if the Speaker hears it and it's determined that it is an inappropriate remark, that member will be asked immediately to withdraw it.

Second, remarks have been made in the chamber which the Chair has not found to be insulting, but some other member has been offended by the comment and the member has been asked and voluntarily has withdrawn the remarks. Whenever that happens, I see that as a very positive sign for the good cordial relations between both sides of the House.

I appreciate very much the matter the member has raised and indeed I will try to be even more vigorous than in the past if the member feels I haven't been quite as vigilant as I might be. I will always do my utmost to be fair to both sides of the chamber.

PETITIONS

MUNICIPAL BOUNDARIES

Mr Ron Eddy (Brant-Haldimand): I have a petition to the Legislature of Ontario signed by 31 residents of Middlesex county as follows:

"We, the undersigned, petition the Legislature of Ontario as follows:

"That the Legislature of Ontario reject the arbitrator's report for the greater London area in its entirety, condemn the arbitration process to resolve municipal boundary issues as being patently an undemocratic process and reject the recommendation of a massive annexation of land by the city of London."

I've affixed my signature.

1520

LANDFILL

Mr W. Donald Cousens (Markham): This might be the last day of the House, and if it is, I would like to table—

Interjections.

Mr Cousens: You just never know. That's why I'm tabling well over 10,000 signatures on these petitions from the people of York region, in York Centre, York North and Markham.

"To the Legislative Assembly of Ontario:

"Whereas the government of Ontario has promised to uphold legislation to protect environmentally sensitive areas from landfill sites; and

"Whereas the government has promised each person in Ontario the right to a full environmental assessment, including the right to a review of all options as it pertains to waste disposal in Ontario;

"We, the undersigned, protest and petition the NDP government and the Legislative Assembly of Ontario to protect environmentally sensitive areas and look at all viable options for waste disposal. York region protests the location of landfill sites on environmentally sensitive areas such as the Rouge Valley and the Oak Ridges systems."

It is signed by these thousands of constituents and others, and also has my name affixed to it. It is absolutely

unacceptable that this government is proceeding with these sites. I hope they will listen to these petitions.

EDUCATION FINANCING

Mr Stephen Owens (Scarborough Centre): I'm pleased to present a petition on behalf of the Ontario English Catholic Teachers' Association, and particularly John Turco from Greystone Walk in my riding of Scarborough Centre:

"Whereas the British North America Act of 1867 recognizes the right of Catholic students to a Catholic education, and in keeping with this, the province of Ontario supports two education systems from kindergarten to grade 12/OAC; and

"Whereas the Metropolitan Separate School Board educates more than 104,000 students across Metropolitan Toronto; and

"Whereas these students represent 30% of the total number of students in this area, yet have access to just 20% of the total residential assessment and 9.5% of the pooled corporate assessment; and

"Whereas the Metropolitan Separate School Board is able to spend \$1,678 less on each of its elementary school students and \$2,502 less on each of its secondary school students than our public school counterpart;

"We, the undersigned, petition the Legislative Assembly of Ontario to act now and restructure the way in which municipal and provincial tax dollars are apportioned so that Ontario's two principal educational systems are funded not only fully but with equity and equality."

I affix my signature of support.

STANDING ORDERS REFORM

Mr Gregory S. Sorbara (York Centre): Mr Speaker, I have a petition which you're very familiar with at this point because it's becoming a constant refrain in this Parliament. It reads as follows, and of course it's addressed to the Legislative Assembly of Ontario. It states:

"Whereas Premier Rae of the province of Ontario has forced upon the Ontario Legislature a change in the rules governing the procedures to be followed in the House; and

"Whereas Premier Rae has removed from members of the opposition the ability to properly debate and discuss legislation and policy in the Legislature by limiting the length of time a member may speak to" really only 30 minutes; and

"Whereas Premier Rae, who once defended"—this is the interesting part—"the democratic rights of the opposition and utilized" the rules we used to have "to full advantage in his former capacity as leader of the official opposition, has now empowered his ministers to determine unilaterally the amount of time to be allocated to debate bills they initiate; and

"Whereas Premier Rae has reduced the number of days that the Legislative Assembly will be in session, thereby ensuring fewer question periods and less access for the news media to provincial cabinet ministers; and

"Whereas Premier Rae has also diminished the role of the neutral, elected Speaker by removing from that person the power to determine the question of whether a debate

has been sufficient on any matter before the House"—I'm not sure that's factually correct—"and

"Whereas Premier Rae has concentrated power in the Office of the Premier"—and of this I have no doubt—"and severely diminished the role of elected members of the Legislative Assembly, who are accountable to the people who elect them;

"We, the undersigned, call upon" the same "Premier Rae to withdraw the rule changes"—that would be the first step—"imposed upon the Legislature by his majority government and restore the rules of procedure in effect previous to June 22, 1992."

If members want further information on this, I direct them to the column by Carol Goar in today's Toronto Star.

I have affixed my name to this petition.

The Speaker (Hon David Warner): Order. Stop the clock, please. I would ask the cooperation of all members who wish to present petitions to bear in mind that if we follow the normal procedure of simply presenting a petition without editorial comment, we will have a better chance during our brief time—we allot only 15 minutes to the presentation of petitions, and if members use some of that time to editorialize, then obviously other members will not have the opportunity to present petitions.

I would ask the cooperation of all members to simply read the petition. The explanatory notes perhaps can be provided by way of written submission at some point in time.

Start the clock. The member for Grey.

Mr Bill Murdoch (Grey): I have a petition—

Interjection: What's it all about, Bill? What's your petition about?

Interjection: I think you should give us some editorial comments.

Mr Murdoch: Yes, I think I should.

Interjection: Time's up, Bill.

Mr Murdoch: Yes, my time's gone. I'm waiting till the Speaker sits down.

MUNICIPAL BOUNDARIES

Mr Bill Murdoch (Grey): I have a petition to the Legislative Assembly of Ontario. It is to add many thousands of names that have already been added by the different members from that area, from London and Middlesex.

"Whereas the report of Mr John Brant, arbitrator for the greater London area, has recommended a massive, unwarranted and unprecedented annexation by the city of London;

"Whereas the arbitration process was a patently undemocratic process resulting in recommendations which blatantly disregard the public input expressed during the public hearings;

"Whereas the implementation of the arbitrator's report will lead to a destruction of the way of life enjoyed by the current residents of the county of Middlesex and will result in the relevant portions of Middlesex potentially not being economically viable;

"We, the undersigned, petition the Legislature of Ontario as follows:

"That the Legislature of Ontario reject the arbitrator's report for the greater London area in its entirety, condemn the arbitration process to resolve municipal boundary issues as being patently an undemocratic process and reject the recommendation of a massive annexation of land by the city of London."

Mrs Irene Mathysen (Middlesex): I have a petition signed by 116 Middlesex constituents who urge the members of the Legislative Assembly of Ontario to reject the report of arbitrator John Brant relating on the greater London area. Many in Middlesex also have grave concerns regarding the size of the annexation and the recommendations within that report.

I have signed my name to this petition.

GRAND MARBLE AND GRANITE

Mr Michael A. Brown (Algoma-Manitoulin): I have a petition signed by at least 100 constituents on the North Shore area. It says:

"We, the undersigned, citizens of the North Shore and other concerned citizens believe that when it comes to government funding of projects, such as the Grand Marble and Granite stone plant, it should be a priority.

"As you are aware, employment is very scarce at this time and we believe when it comes to aiding a company such as this, who employs up to 100 jobs directly, it is essential to back them 110%.

"If Italian investors can commit \$3 million and feel this is a sure thing, we believe our government should at least be able to accept the application for \$1 million from the president of Grand Marble and Granite."

I'll affix my signature.

EDUCATION FINANCING

Mr Charles Harnick (Willowdale): I have a petition to the Legislative Assembly of Ontario:

"Whereas the British North America Act of 1867 recognizes the right of Catholic students to a Catholic education, and in keeping with this the province of Ontario supports two educational systems from kindergarten to grade 12/OAC; and

"Whereas the Metropolitan Separate School Board educates more than 104,000 students across Metropolitan Toronto; and

"Whereas these students represent 30% of the total number of students in this area, yet have access to just 20% of the total residential assessment and 9.5% of the pooled corporate assessment; and

"Whereas the Metropolitan Separate School Board is able to spend \$1,678 less on each of its elementary school students and \$2,502 less on each of its secondary school students than our public school counterpart;

"We, the undersigned, petition the Legislative Assembly of Ontario to act now and restructure the way in which municipal and provincial tax dollars are apportioned so that Ontario's two principal education systems are funded not only fully but with equity and equality."

I have affixed my signature.

VIOLENCE IN PUBLICATIONS

Mr David Christopherson (Hamilton Centre): I have a petition signed by 265 residents of the region of Hamilton-Wentworth and other communities.

"To the Legislature of Ontario: The following is a petition for the banning of psychopathic killer cards into Canada," and although this is not under the jurisdiction of the province of Ontario, they have asked that their names be added to the government of Ontario's support in urging the federal government to take whatever action it can.

I have also affixed my signature to this.

LABOUR LEGISLATION

Ms Dianne Poole (Eglinton): I have a petition signed by six residents of Eglinton riding, two of whom are very prominent, Jay Waterman, the NDP candidate from 1990, and Bob Garthson, the vice-president of the OSSTF.

I would like to table this petition which is regarding the Labour Relations Act and, as required, I have affixed my signature.

1530

GAMBLING

Mr Ted Arnott (Wellington): I've a petition to the Legislative Assembly of Ontario and it reads as follows:

"Whereas the NDP government is considering legalizing casinos and video lottery terminals in the province of Ontario; and

"Whereas there is great public concern about the negative impact that will result from the abovementioned implementations;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government stop looking to casinos and video lottery terminals as a 'quick-fix' solution to its fiscal problems and concentrate instead on eliminating wasteful government spending."

I've affixed my signature to this petition.

ENVIRONMENTAL TAX

Mr Drummond White (Durham Centre): I have a petition signed by many people in my region to the Legislative Assembly of Ontario. These many, many people stated they are not in favour of the environmental levy put on beer cans. Furthermore, they are against any levy to be placed on soda cans. "These cans are 100% recyclable and are currently being recycled at a very high rate. To impose this and any further tax on the canning industry will cripple the canning industry and send jobs south of the border."

ABORTION CLINIC

Mr Robert V. Callahan (Brampton South): I have a petition signed by 28 residents of my riding. It's addressed to the Legislative Assembly of Ontario:

"Whereas the government of Ontario has expressed its intention to use \$400,000 of taxpayers' money to increase the security at the private abortion clinic of Dr Henry Morgentaler and an additional \$200,000 of taxpayers' money to help rebuild this for-profit clinic;

"Whereas the Ontario deficit has risen to astronomical proportions, creating serious hardship for Ontario taxpayers

at the same time that programs and services are being withdrawn, including crucial health care and social service programs;

"Whereas all other private Ontario businesses are expected to provide their own security and obtain business insurance to cover fire, vandalism and other such calamities;

"We, the undersigned, while abhorring the violent act which destroyed Dr Morgentaler's clinic, do petition the Legislature of Ontario to immediately recant its intention to inappropriately utilize Ontario tax dollars on this private clinic."

I've affixed my signature to such a petition.

MUNICIPAL BOUNDARIES

Mr Jim Wilson (Simcoe West): I have a petition to the Legislative Assembly of Ontario that reads as follows:

"Whereas the report of Mr John Brant, arbitrator for the greater London area, has recommended a massive, unwarranted and unprecedented annexation by the city of London; and

"Whereas the arbitration process was a patently undemocratic process resulting in recommendations which blatantly disregarded the public input expressed during the public hearings; and

"Whereas the implementation of the arbitrator's report will lead to a destruction of the way of life enjoyed by the current residents of the county of Middlesex and will result in the relevant portions of Middlesex potentially not being economically viable;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Legislature of Ontario reject the arbitrator's report for the greater London area in its entirety, condemn the arbitration process to resolve municipal boundary issues as being patently an undemocratic process and reject the recommendation of a massive annexation of land by the city of London."

I've affixed my name to this petition.

LAND-LEASED COMMUNITIES

Mr Larry O'Connor (Durham-York): I've got a petition here signed by many residents in Sutton-By-The-Lake, and it's around the land-leased communities. They petition the Legislative Assembly:

"We, the undersigned, petition the Legislative Assembly to follow through and release the committee's report on land-leased communities and propose legislation to give adequate protection to individuals living in these land-leased communities."

I have signed my name to it.

LABOUR LEGISLATION

Mr Robert V. Callahan (Brampton South): I have a petition signed by approximately 25 people. I've affixed my signature to it. It's addressed to the Legislative Assembly of Ontario:

"Whereas the proposed changes to the Ontario Labour Relations Act have been made without any prior consultation with the people who will be directly affected by this legislation, and this is totally unacceptable;

"Whereas there are serious reservations about how the legislation will affect the national health, welfare and pension plan and the hard-earned moneys contributed for the protection of our families and futures;

"We, the undersigned members of provincial unions"—and these are managers as well as rank and file—"do petition the Legislature of Ontario to immediately withdraw Bill 40."

STANDING ORDERS REFORM

Mr Gerry Phillips (Scarborough-Agincourt): "To the Legislative Assembly of Ontario:

"Whereas Premier Rae of the province of Ontario has forced upon the Ontario Legislature a change in the rules governing the procedures to be followed in the House; and

"Whereas Premier Rae has removed from members of the opposition the ability to properly debate and discuss legislation and policy in the Legislature by limiting the length of time a member may speak to only 30 minutes; and

"Whereas Premier Rae, who once defended the democratic rights of the opposition and utilized the former rules to full advantage in his former capacity of leader of the official opposition, has now empowered his ministers to determine unilaterally the amount of time to be allocated to debate the bills they initiate; and

"Whereas Premier Rae has reduced the number of days that the Legislative Assembly may be in session, thereby ensuring fewer question periods and less access for the news media to provincial cabinet ministers; and

"Whereas Premier Rae has diminished the role of a neutral, elected Speaker by removing from that person the power to determine the question of whether debate has been sufficient on any matter before the House; and

"Whereas Premier Rae has concentrated power in the Office of the Premier and severely diminished the role of elected members of the Legislative Assembly, who are accountable to the people who elect them,

"We, the undersigned, call upon Premier Rae to withdraw the rule changes imposed upon the Legislature by his majority government and restore the rules and procedures in effect previous to June 22, 1992."

I have affixed my signature.

PARLIAMENTARY LANGUAGE

The Deputy Speaker (Mr Gilles E. Morin): The member for Renfrew North, I notice that you came back in the House. I just want to let you know that the fact that you walked on your own when the Speaker was just about to name you does not preclude you from being named. I ask you to withdraw or you leave me with no other choice than to name you, sir.

Mr Sean G. Conway (Renfrew North): Thank you, Mr Speaker. Not wanting to offend the sensibility of the Chair, I will certainly withdraw any remarks that the Speaker found offensive and serve notice that from this date forward I will be engaging the Chair on a very regular basis about the inclusion of words that have been long found acceptable by previous Speakers. But lest there be any confusion, I withdraw anything that offended the

sensibilities of the honourable Speaker of the 35th Parliament of Ontario.

Mr Murray J. Elston (Bruce): On a point of order, Mr Speaker: I did not hear the Speaker name the member for Renfrew North in any event. I don't know how this got trumped up. The Speaker did not name him. The Speaker was engaged in a discussion with him. The member voluntarily withdrew and there was no naming of anybody. I don't know how now somebody can name him.

The Deputy Speaker: I tried to explain that I had spoken to the Speaker before I made this statement. The Speaker was about to name the member for Renfrew North. This is the reason why I say that the Speaker was about to name the member for Renfrew North. I have accepted the apology of the member for Renfrew North and I consider the case closed.

Mr Gregory S. Sorbara (York Centre): On a point of order, Mr Speaker: My point of order relates to the matters you've just raised. I take you at your word, sir, that you had a conversation with the Speaker prior to assuming his place in the chair. Notwithstanding that, sir, I think I might say it's highly irregular for one Speaker to make a ruling on something the other Speaker was about to do. Many things can happen—

The Deputy Speaker: Thank you. I've understood your point. Let me explain again, please. The member for Renfrew North left of his own volition. That he had left on his own doesn't mean that he is precluded from being named by the Speaker. The Speaker was about to name him, but he left. Please take my word. I consider this case closed.

Mr Chris Stockwell (Etobicoke West): On a point of order, Mr Speaker: I in fact will take your word that you do know the motive of the Speaker at that time and in fact that the Speaker was going to name the member for Renfrew North. But my question and clarification involved in this is exactly what word was the then Speaker going to name the member for Renfrew North for. If in fact you're going to make a ruling at this point that he was going to be named, could you please tell me why he was going to be named?

The Deputy Speaker: I think you understand very clearly that the Speaker's role is not to debate a ruling. My ruling has been made and I consider the case closed.

1540

Mr Conway: If I might, Mr Speaker, I just want to be clear what it is that I've withdrawn. I find it remarkable. But let me be clear: I understand that this Speaker has found the use of the word "fool" unparliamentary. I find that absolutely unbelievable, and I find it—I won't say what I find it because I know the rules of this place. I withdraw, but the word that apparently offends is "fool." I simply serve notice that if that's the new threshold, if that's the new baseline, I will govern myself accordingly.

Mr Stockwell: On a point of order, Mr Speaker: I know you don't want to pursue this overly, Mr Speaker, but for my edification and for all those in the House to know full well exactly what word it is that we're not

allowed to use any more would be very appropriate, because I would not like to think that if at some future date I used the word, if it is "fool," that I would be turfed out, and if so, I won't use it.

The Deputy Speaker: Please, I don't want to go on on this issue. I have made my ruling and the member for Renfrew North has accepted my ruling. The case is closed.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Mr White from the standing committee on regulations and private bills presented the committee's report and moved its adoption:

Your committee begs to report the following bill as amended:

Bill Pr48, An Act respecting Bikur Cholim.

Your committee begs to report the following bill without amendment:

Bill Pr46, An Act to revive The Mississauga Real Estate Board.

Your committee further recommends that the fees and the actual cost of printing at all stages and in the annual statutes be remitted on Bill Pr48, An Act respecting Bikur Cholim.

Motion agreed to.

STANDING COMMITTEE ON GENERAL GOVERNMENT

Mr Brown from the standing committee on general government presented the committee's report on the Impact on Women of the Government's Conversion Policy relating to Child Care.

The Deputy Speaker (Mr Gilles E. Morin): Does the member wish to make a brief statement?

Mr Michael A. Brown (Algoma-Manitoulin): I would like to thank the members of the committee who worked so hard on this report and I would like to thank all the presenters from around the province who took their time to come and speak to the committee about this very important issue. This is a report that unfortunately we did not find consensus on in the committee, and it has two minority reports attached to it.

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Mr Beer from the standing committee on social development presented the committee's report on Changes to the Funding of the Ontario Student Assistance Program and moved its adoption.

The Deputy Speaker (Mr Gilles E. Morin): Does the member wish to make a brief statement?

Mr Charles Beer (York North): I would also like to thank all the members of the committee and the presenters who came before it. I would like to underline that our report was a unanimous report on the Ontario student assistance program, and I think what's important to take from that is the concern that all members felt about the state of the Ontario student assistance program. The need

for fundamental reform was something that we believe needs to be addressed at the earliest dispatch.

On motion by Mr Beer, the debate was adjourned.

ORDERS OF THE DAY

LABOUR SPONSORED VENTURE CAPITAL CORPORATIONS ACT, 1992

LOI DE 1992 SUR LES CORPORATIONS À CAPITAL DE RISQUE DE TRAVAILLEURS

Ms Wark-Martyn moved third reading of Bill 150, An Act to provide for the Creation and Registration of Labour Sponsored Venture Capital Corporations to Invest in Eligible Ontario Businesses and to make certain other amendments / Loi prévoyant la création et l'inscription de corporations à capital de risque de travailleurs aux fins d'investissement dans des entreprises ontariennes admissibles et apportant des modifications corrélatives.

The Deputy Speaker (Mr Gilles E. Morin): Ms Wark-Martyn, comments?

Hon Shelley Wark-Martyn (Minister of Revenue): I would like to thank all those members who participated in the review of this bill by the standing committee on finance and economic affairs. The committee hearings resulted in the adoption of a number of amendments that will help to create a more effective program to develop real partnerships between business, labour and government.

The government believes this legislation offers two distinct yet complementary methods for the creation of new sources of capital for investment in small and medium-sized Ontario businesses. Investment funds sponsored by organized labour, including worker cooperatives, are designed to encourage the participation of all working people and Ontarians in the economic development of our province. The legislation will also provide working people who are faced with changing economic conditions with the increased opportunity to participate in the decision-making in their workplace. It will also allow all Ontarians to become involved in the restructuring and rebuilding of the Ontario economy.

This legislation is not intended to answer all the economic problems we are facing in this province, but we believe this program will be a key element in our overall economic strategy to create real and effective partnerships between business, labour and government, a strategy that will allow Ontario to emerge from the current recession in a strong and competitive position to respond to the economic challenges of the 1990s and beyond.

I'd like to introduce to you today in the east gallery members of the Canadian Federation of Labour: Reg Conrad, president of the Canadian Federation of Labour—Ontario Council; Warner Baxter, vice president, Canadian Federation of Labour, director of Working Ventures Canadian Fund Inc, and Ron Begg, the president of Working Ventures Canadian Fund Inc, who are here to join with us in third reading debate.

Mr Gerry Phillips (Scarborough-Agincourt): During the hearings there were two questions asked that we are still awaiting a response on. One, as the minister will know, was a clarification from the federal government that

it was planning to extend the tax credits to the worker co-ops and also that it was not planning to move in any other areas. The committee was informed that we would be getting that answer in writing.

The second question we raised was that there was still some question at the committee about whether other organizations would be eligible to manage these venture capital corporations. I used the specific example of the Ontario Teachers' Federation because I was concerned that the narrow definition of who can run this program might not include organizations like the Ontario Teachers' Federation. I wonder if the minister can clarify both of those matters for us.

Mr Gregory S. Sorbara (York Centre): Now that we're in third reading of this bill, I just want to put a question or two to the minister and hope that she can deal with it in the two minutes she has to reply. The matters I raise are ones that are going to be developed further by my colleague the member for Scarborough-Agincourt when he speaks to third reading of this bill.

The issue, in short, under the administration of the worker venture capital portion of this bill is that there was clear evidence during the committee hearings that the very people who are authorized to participate in this program—that is, the trade unions and the trade union movement in the province—had said that they don't like the design of the bill, do not support the bill and will not be participating in the bill in the way it's currently shaped. I think my friend the member for Scarborough-Agincourt is going to refer specifically to testimony that was given during the committee hearings.

I ask the minister what she has done to amend this bill, to reshape it, to reframe it so that those very people, and only those people, who can participate, because it's restricted exclusively to the trade union movement—what she has done to reshape the bill in a way that makes it acceptable to the very people for whom it is designed: the Ontario Federation of Labour.

It seems strange that we would be giving any further consideration to this bill at this time given the current state of affairs that the people for whom it was designed say that it's not designed properly and they're not going to participate in it. Surely what she should have done is halt consideration of the bill and redesign it in consultation with the Ontario Federation of Labour before proceeding to third reading and royal assent of the bill.

1550

The Deputy Speaker: Any further questions or comments?

Mr James J. Bradley (St Catharines): In the statement the minister made to the House initially about the time frame in which she wishes this bill to be considered by the House, particularly in light of the fact that the Premier has brought in new rules of the House which now will limit the amount of time each member is permitted to speak, the lead speaker has the opportunity to speak for an hour and a half if that person considers it appropriate, but after that, each member may speak for only 30 minutes. If a person had a compelling argument to be advanced

beyond the first speaker, at 30 minutes the Speaker would indicate that person must sit down.

In addition to that, if the member wanted to see other bills considered under her jurisdiction, she would know that the House is not going to sit as many days under the new rules brought in by her Premier, which stipulate that the House shall sit fewer times.

I also am concerned whether the minister would consider bringing in a time allocation motion since now she has the opportunity under the new rules of the Legislative Assembly of Ontario to determine how long the debate will take place, rather than the natural flow of debate that used to take place before those rules were implemented by her Premier through the government House leader and, last, her viewpoint on the discretion of the Speaker being taken away in view of a closure allocation motion, where the Speaker used to be able to indicate whether he or she felt sufficient debate had taken place.

That determination will be now made by the government of Ontario, presumably on orders from the Premier's office, since everything done by this government comes from the Premier's office. I wonder if she has the same concerns Carol Goar has in the Toronto Star article today, an excellent article on this subject.

The Deputy Speaker: Further questions or comments? The member for York Centre.

Mr Sorbara: I'm rather disappointed that the Progressive Conservative Party doesn't have any questions or comments for the minister or the government members, but be that as it may, I want to just take advantage of—

The Deputy Speaker: Order. You can only do it once, sorry.

Mr Sorbara: Oh, really. Can I have a reference to the rules, sir?

The Deputy Speaker: Any further questions or comments?

Mrs Elinor Caplan (Oriole): I too have a question for the minister. As someone who participated at committee during the debate I know that, as critic for the Ministry of Revenue, I raised the concern I have that individuals who will be making investments into the labour-sponsored investment funds may assume there is a government guarantee.

I was pleased the minister accepted the Liberal caucus amendment which would clarify that the order in council recommendation did not constitute a guarantee, but I wanted to ask the minister at this time if she would speak to that issue, one, to ensure that individuals who make those investments—how will they be notified and how will they be aware? People tend to not read the legislation, so what are you going to put in place to make sure that people know they are not getting the government's guarantee that these are good investments?

Second, the concern I have is that potential investors in both the worker-ownership schemes and the labour-sponsored investment funds have the information they need so they can make informed decisions about whether these are the types of investments which will be secure for them,

since they will be investing in a lifetime up to \$150,000 per individual.

I believe it is very important for the minister to address these issues, first, so people will have the information to make a sensible decision about participation, and second, so they will be aware that they are not getting a government guarantee for their investment and that possibly their risk may be more than what they consider it is. I ask the minister at the beginning of this third reading debate if she would address those issues.

The Deputy Speaker: Minister, you have two minutes to reply.

Hon Ms Wark-Martyn: In two minutes, I'll respond to the ones I can. The Treasurer has deemed that broadening the eligibility parameters at this time to establish labour-sponsored investment fund corporations is inadvisable for several reasons.

This is a new type of program. We do not know what the takeup will be. Broadening its scope greatly at the onset could result in a proliferation of very small labour-sponsored investment funds with insufficient capital to meet the program's objective, which is to create new sources of equity funding for small- and medium-sized businesses in Ontario.

Second, the government would also like to maintain control of the size of the program and the amount of revenue involved to support it. Broadening it greatly at this point would make this impossible.

Third, established, long-term and large entities sponsoring and managing labour-sponsored investment funds will reduce the risk of failure of the fund to investors. The government will look closely at the possibility of expanding the eligibility requirements for labour-sponsored investment funds to other organizations once some experience has been obtained.

On the issue about the support for this bill, I would like to point out that the Ontario Federation of Labour is in support of the employer ownership component of the bill, as is the Canadian Auto Workers in specific situations. Other presenters at committee, including representatives of organized labour, have seen merit in the new program. In particular, Mr Ron Begg of the Working Ventures Canadian Fund, sponsored by the Canadian Federation of Labour, spoke in support of the concept.

This government believes it is important for organized labour to have the opportunity to develop new partnerships with business and government to help Ontario increase productivity, improve labour-management relations and set the groundwork for sustainable prosperity and competitiveness.

The Deputy Speaker: Are there any other members who wish to participate in this debate? The member for Scarborough-Agincourt.

Mr Phillips: I appreciate the chance to join in the debate on Bill 150. I think most members in the House appreciate what we're dealing with here. But to refresh our memories, there are two components of this bill.

The first is what's called the worker ownership portion of the bill. We on this side of the House, certainly in the official opposition, very much support initiatives that will

broaden the participation of people in the Ontario economy. From my own personal experience in the private sector, before I came here I was chairman of three companies and in each of those three companies there was broad ownership. As a matter of fact, I might add that every single individual in the company participated in profit-sharing and a large percentage owned significant shares in the company. There's no doubt that individuals who have a stake in the operation feel more a part of the operation; all the evidence will support this. That's to be applauded. So we support initiatives that will expand worker participation.

The second part of this program establishes what are called in the bill labour-sponsored venture capital corporations. Again we support the concept of programs that will, in the province, develop additional pools of capital for investment, particularly in ventures that will benefit the Ontario economy. So on both of those fronts we are supportive now and in the future of concepts that will achieve both those objectives.

I might, as a small point, point out that in the bill for some reason or other there continues to be a strange name for the employee ownership part of the bill. This is the one where workers are provided with tax incentives to purchase a significant share in their corporations, in their businesses. The title in the bill still says, "Employee Ownership Labour Sponsored Venture Capital Corporations." For some reason or other, that name still exists. It has nothing to do with labour-sponsored venture capital. It is essentially employee ownership corporations. Having said that, it's not a central part of the bill. I just point out that frankly it makes no sense.

1600

As I say, we support the concept and the objectives of the bill, and therefore we will be supporting Bill 150. Having said that, we regret very much that the government has chosen to ignore many of our proposals, and many supported, I might say, by the third party. I think I will show today that they were reasonable proposals that should have been supported. I thought there were some exceptionally good recommendations from groups that appeared before the committee that were also ignored.

Therefore we in the opposition are put into a rather difficult spot because there's no doubt—for example, this bill is the one that was used in Kapuskasing for the Spruce Falls purchase, and that was a good idea. There's no doubt that it is an important element of the successful Spruce Falls operation and there's no doubt that the bill will be used for other similar situations.

We don't want to be standing in the way of that, particularly as we all know, and just yesterday we pointed out in the House, we've seen record numbers of plants closing. Yesterday we learned that already this year in the province of Ontario we've seen a third more plants close in the first six months of 1992 than we saw in the first six months of 1991, even though the Treasurer said we're coming out of the recession, and certainly we pray we are.

We saw yesterday that, as already announced, there are 18 plants closing in the month of July 1992, and we know that last year in July a total of 10 closed. So there can be no doubt that we continue to see, right from one end of the

province to the other, plants closing. Some of them, I would hope, could use this mechanism to restructure themselves and get a fresh new start, so we are put in the position of saying, "We don't want to stand in the way of that happening," but being forced to vote for a bill that there is no doubt could be substantially improved.

I will talk later on about how the only organizations that can run these venture capital corporations—on the worker ownership part, we'll be indicating how we think it could have been improved. On the venture capital part, if it's going to be a meaningful economic tool in the province, it has to be one where the unions take an active and vigorous role.

Why is that? Because the only organizations that can manage the venture capital portion of this bill are the unions. Nobody else can, other than co-ops, but nobody else can do it. If I heard the minister correctly, I don't even have an assurance that the Ontario Teachers' Federation could participate, so only the unions can run the venture capital part.

Mr Speaker, as you know, the Premier has held this out as one of the great economic tools to help the province, but the OFL has said it will not participate in the venture capital part of this bill, so here we are being asked to support a bill that's structured in a way to ensure its own lack of success. It's the unions that can run the venture capital, and the major union, the OFL, has said it doesn't want to participate.

I appreciate that the Canadian Federation of Labour is participating. It is an important body, a national organization, a well-run federation of unions, and fortunately it is participating, and I think vigorously, but there's no doubt that the OFL is by far the larger union organization in the province, and it has flatly said no, it is not going to participate.

We now have the problem of being asked to approve a bill about which the very people who will be responsible for making it work have said, "Listen, there are fundamental flaws in it." We're put once again in the position of the government saying: "We're right. We're the ones who know best. You in opposition don't know. We're right and you're wrong. Take it or leave it."

We had several amendments that we felt could have substantially improved this bill, which were rejected. My colleague the member for Oriole developed two of them herself, put them forward, and they were both rejected.

The people who are watching this often say to me as a politician: "Why is the opposition always so negative? Why don't you make suggestions for improvements?" The Minister of the Environment is shaking her head. Well, why don't we? Here's the problem, Mr Speaker:

Let's take Bill 143 which the Minister of the Environment herself brought forward. We predicted the dilemma she now finds herself in. My colleague the member for York Centre, my colleague the member for York North and a member from the third party, the member for Markham, all said at committee, "Listen, this Bill 143 is crazy," and made specific proposals for improvements. What happened? They were rejected. The Minister of the Environment is shaking her head, asking why we aren't be constructive. We are constructive, but you know best, you

know what's right and you will ignore our recommendations; similarly in the budget.

I point this out because I want to illustrate that on Bill 150, the opposition parties, both ourselves and the third party, attempted through hearings to improve the bill. In fact, if I might say, it was the members of the opposition who demanded that this bill go to committee. Just before Christmas, when the government was trying to get third reading of the bill, Mr Sterling, the member for Carleton, and I said, "No, we think this should go to committee." Frankly, fortunately for the government's sake, it did.

Here are the amendments that were brought forward.

Mr Norman W. Sterling (Carleton): We saved your bacon again.

Mr Phillips: We saved their bacon, to use the member for Carleton's language.

There were 42 separate amendments to the bill that the government House leader wanted to get passed last December. Fortunately we asked that it be referred to committee and therefore we were able to allow the government to make those amendments. Unfortunately the government rejected our amendments.

To the people who are watching this, when they say, "Why doesn't the opposition be constructive?" I use Bill 143 as an example. I use this bill, and I will go through the amendments we've proposed and why we proposed them. People say, "Why aren't you constructive on the budget?" We had many recommendations on last year's budget. The government said, "No, no, we know best."

Youth unemployment would be another example. I was up in the Legislature 18 months ago saying: "I can tell you there are significant problems coming in youth unemployment. For heaven's sake, start to do something." It was a tragic coincidence that on the afternoon of the day we had what can only be described as a riot on Yonge Street, about four hours before the riot, I was again in the Legislature begging the government to get on with some youth employment programs. It was only after the riot that the youth employment programs came in. I can show you the Hansard, Mr Speaker. Just mere hours before it happened, we in the opposition were trying to get some action on improvements.

Why am I going through that background? It is because I want to put the government on notice. I am telling you there are fundamental flaws in the bill. I'm telling you we're going to support it, because we want to be in a position to help communities like Kapuskasing and others that may use the bill, but when the things happen that I guarantee you are going to happen, I will get up in the Legislature and say: "I told you it was going to happen. We begged you to change it. You wouldn't, and now we're going to hold you accountable." I guarantee you I will do that.

1610

Let me just start to put this program, the worker ownership program, in the context the government would like us to put it in, and that is that this is part of Premier Rae's economic renewal plan. Mr Speaker, you may recall that both he and the Minister of Industry, Trade and Technology—I

can recall very vividly, September 23, the day we came back to the Legislature, on September 23, about nine months ago, the Premier got up in the Legislature and said, "The economy is our number one priority and we are going to move forward with significant plans."

What were those plans? Let me tell you what the plans were. There were five of them.

There was training. The Premier kind of wants this to be his issue. This is the one that on the national scene he wants to be known as the person who really cares about training. That's what he said, "Training is fundamental to our economy." What have we seen? We were promised legislation. We were promised the legislation this spring. We were told that we would have the legislation so we could see clearly what the government's plans were. Where is the legislation? That was one major plank in the government's economic platform, the Ontario Training and Adjustment Board.

I think it's fair to say that the passing of that legislation must be eight or nine months away. I gather the government's going to introduce it in the fall. I gather that it will be a substantive piece of legislation. I would think, because it's going to impact virtually everybody in the province, I would think, because it's going to have, I gather, a budget of \$2 billion to \$3 billion—the Minister of Skills Development shakes his head, but those are the numbers we've been getting from the ministry. It will have a budget of \$2 billion to \$3 billion. Where is that piece, that important element of the Premier's economic plan?

The second big part was the use of public sector pensions. You remember the Premier said we would have that coming. We haven't even seen the end of the consultation period, let alone legislation on it. Here we are, a record number of unemployed, the unemployment rate running at 11%, and the second platform in the Premier's economic renewal plan, the Ontario investment fund, nothing's happening on it, while we're seeing plants closing every day, 18 closing in July, and that was the second element in the platform.

The third was the Premier said he would guarantee more cooperation and partnerships in the workplace. "We're going to have a new level of partnership in the workplace in the province of Ontario." This was going to be the third element of Premier Rae's economic platform. That is the Ontario Labour Relations Act amendments.

Regardless of how you feel on that issue, whether you're for them or agin them, the facts are that they are extremely divisive. We're going to have five weeks of hearings that'll be—I know what will happen. The two camps will have chosen up sides, each will come, and it will be a pitched battle, rather than the partnerships we had expected by now, right at the crucial time when, as I say, unemployment is running at 11%, youth unemployment is running at more than 20%, plants are closing, believe me, at a record number. There are more people who have lost their jobs in the first six months due to plant closures than lost their jobs in the whole of 1982, right at the heart of the recession, in the whole year. There's more already in the first six months. The third part of their economic plan, that is, the workplace partnership, that one's in tatters.

The fourth area was the industrial strategy. That was promised months and months and months ago. We still don't see it.

Interjection.

Mr Phillips: The member is heckling, not even from his seat. If you would get on with your economic plan, I would stop complaining. But I'm just telling you there were five elements of it, and you're doing nothing on them.

Interjection.

Mr Phillips: The Minister of Labour is starting to yap again. I would just say to him what I said to him the other day: I have no confidence in you, Minister. You went around accusing me of causing people to die in the workplace with Bill 208, then you become Minister of Labour and you go out and buy yourself an ad saying what a great piece of legislation Bill 208 is. What I concluded from that is that you say one thing in one place and another thing in another place. I have no confidence in you. I lost confidence the day I saw that ad with your face on it saying, "Bill 208, the most progressive legislation in North America: Minister praises the health and safety legislation." One time you're dragging coffins in—

The Deputy Speaker: Order. We're debating Bill 150.

Mr Phillips: I understand that, but if the Minister of Labour chooses to heckle from his seat, I will tell him what I think of his heckling.

So I'm on to the fifth element of the economic plan, and that is worker ownership. The problem with this bill is this: They say it's going to accomplish things, yet the major partner, the only one who can make it work, the OFL, has said categorically it's not going to participate in it. They're not going to participate in the venture capital. What are you doing passing a bill designed, as you say, to create venture capital, when the OFL, the major organization that can run this, is saying what about it? I asked the member of the OFL specifically. I said, "I guess there were words in here somewhere that suggest you won't participate in it." What did the OFL say? "We are not interested in participating in the labour-sponsored investment fund aspect of the act."

What we've got here is the fifth plank of the economic renewal plan. This is what the Premier has said he's going to get the economy rolling with, the fifth plank, and the organization that has the responsibility, the only organization that can make it run, says it won't participate in it.

The reason I wanted to highlight that for you is that the government has said, "Jobs and the economy are our number one priority." The government has said, "Here's how we're going to get the economy rolling." The Premier said it was his number one priority on September 23, 1991. Now here we are. Ontario Training and Adjustment Board: We don't even see the legislation yet, let alone debating it. The Ontario investment fund: still consulting. The workplace partnerships that were going to bring us out of this: a pitched battle between the business community and the labour community, and there's no doubt about that. The industrial strategy: The Minister of Industry, Trade and Technology has promised that, and it's not here. Now this bill: When the session finally rises, all of you, when you

go out and are asked, "What have you accomplished?" will say, "We've passed the amazing worker ownership bill." But the OFL says it's not going to participate in it.

1620

I wanted to put this particular bill in the context of the overall economic plan. Now on to the specifics of the bill and some of the aspects of this bill we have expressed our concerns about and have been unable to get the government to move on.

First, I think the people who follow these things should appreciate that the government anticipates that this bill, when it's fully mature, when it's up and running, will cost the taxpayers of the province \$250 million a year, so we're talking about substantial amounts of money. If I'm not mistaken, the entire tax revenue from mining profits in the province is perhaps \$100 million; we're talking about a program that will cost two and a half times the total amount of tax revenue the province gets from the mines. I just put that into some perspective. It's an extremely large sum of money.

What we said in committee, and my colleague the member for Oriole actually proposed it, is that we should have a mechanism that triggers a review of this. We're not talking about small amounts of money; we're talking about significant amounts of money. It's not a direct analogy, but recall the scientific tax credit program the federal government had several years ago that just got completely out of hand; it just went wild. We said let's put a specific mechanism, a trigger, in here that would allow us to review, so we could at least say, "Gee, it's going to go substantially above \$250 million; we should review the program."

That amendment was rejected in committee. Again, it is part of my thesis: "We're right and you're wrong and don't bother us with your recommendations." I think the taxpayers of the province should know that both, I think it's fair to say, opposition parties felt there should be a trigger mechanism here so that if this bill does go ahead, we have a review of it so it just doesn't run free. That seemed to me to be a very sensible recommendation, but it was rejected.

I might add that we will be watching carefully how this is accounted for in the finances of the province. There are some who would argue that in the past the way the provincial government has assisted corporations is through grants. That shows up directly on the books; it shows up as an expense, I think normally in the Ministry of Industry, Trade and Technology, if I'm not mistaken, Ontario Development Corp grants. This is just as much an expense as a grant. The taxpayers are going to forgo \$250 million a year of revenue. It's just the same as if we put out grants of \$250 million a year, but governments sometimes find it easier to hide the tax concessions than they do the grant program. We'll be watching this carefully and I'll be saying to the members opposite what I've said many times: I have confidence in the Treasurer, but I don't have confidence beyond that.

For those of you who are watching, this year's budget has some extremely questionable accounting in it. The members of the NDP caucus may not realize, but the Treasurer came to the standing committee on finance and economic

affairs the other day and acknowledged one of these things. The Treasurer was faced with the deficit being not \$9.9 billion but \$10.4 billion. He had a neat little trick. The province owes the teachers' pension fund \$500 million, due January 1, 1993, so the Treasurer went to the teachers' pension and said: "Suppose we just delay paying you that for three months? Rather than having to show that \$500 million as an expense in this fiscal year that would have driven our deficit up to \$10.4 billion, why don't we just say we'll reschedule that payment to April 1, three months, and then we won't have to show that expense?"

The teachers are good business people and they said, "Sure, we'll do that, but you've got to pay us competitive interest rates." The Treasurer said, "If I've got to pay you that interest rate, it will be at least two percentage points above what I'd have to go to the market on." They said, "That's your problem."

There's no question—the Treasurer acknowledged it—that the taxpayers of the province have just thrown away \$2 million, thrown it right away. The member is shaking his head. It is a fact: They've thrown away \$2 million. The Treasurer himself said, "Yes, we could have gone to the market and borrowed that \$500 million for \$2 million less in cost, but that would have taken our deficit up to \$10.4 billion. We don't want that." The Premier in particular wanted a \$9.9-billion deficit, so he said, "Do whatever it takes."

For that little piece of questionable accounting, just to show an artificial deficit, the taxpayers threw away \$2 million. They got nothing for it. The only thing they got was Bob Rae being able to say, "Our deficit's \$9.9 billion."

If I were in the NDP caucus—each of us has groups coming to us saying, "Can't you help me out?" Tomorrow is our constituency day. I will have people coming to see me who cannot get home care and that sort of thing. But the province threw away \$2 million and all it got for it was a delay in payments for the teachers' pension for three months.

By the way—I'm pointing this out particularly for the back bench, because you have to get after the cabinet ministers on this and ask, "Why did we throw the \$2 million away?"—to make it even worse, this is going to go on year after year after year because it's all built in. Believe me, the teachers did the honourable thing; they were absolutely right. They said, "Sure, we'll delay the payment for three months, as long as you pay us the rate we could earn in the market." The teachers get a higher interest rate than the government pays for its money.

The reason I raise all of this is because we're going to be watching this \$250-million expense. We have tried to ask the Provincial Auditor to come in and look at this accounting practice. We think it's wrong. If you were in the private sector and you tried what the government has done with this rescheduling of payments to the teachers' pension, the auditor would never sign the report. The auditor would say, "This does not represent a true reflection of year-to-year expenditures and we will not sign it."

Mr Paul Klopp (Huron): Oh, for goodness' sake.

Mr Phillips: I'm telling you that.

Do you know what we did? We sent a letter to the Provincial Auditor saying, "We think this is wrong and will you look at it?" He said, "I will be happy to look at it, but I need a legislative committee to ask me to do it." The members here will recall that I asked the Treasurer if he had any problem with that and he said no. We took that motion to the standing committee on public accounts. For those of you who have been around here for a while, the public accounts committee is one that normally gets at matters like this and looks at them and is to an extent a non-partisan committee; it's one that tries to ensure that the public money is looked at and properly handled.

All we wanted was to ask the auditor to give us an opinion on whether this rescheduling of cash payments, which is really just borrowing \$500 million from the teachers—it's a loan. In fact, the Treasurer called it a loan in the committee; he calls it rescheduling of cash payments.

We have real reservations, as I hope you all know, about the fiscal stabilization plan. It always makes me angry in the Legislature when the Premier gets mad at Mulroney and then goes cap in hand for \$1.2 billion in fiscal stabilization. We've said to the government that we really wonder about that. We think it's a phoney. As a matter of fact, the day after the budget came out the federal officials said: "Where did he get the \$1.2 billion fiscal stabilization? He doesn't have a hope of getting that this fiscal year." We asked for that to be looked at.

The third thing we asked to be looked at was the sale of assets. For those of you who follow this, and I hope the backbenchers do, in this year's budget there is \$1.2 billion for sale of assets. The only ones that have been identified are Suncor and the SkyDome. There's another \$1 billion unidentified.

We have questions about all three of those things and we have asked to get the public auditor to look at it, but the whip has been on and the government members refuse to allow that to happen. I'll say to the government members that I'm not going to stop. I'll keep at it until we get the answer on that thing. The reason I raise this is our concern with the \$250-million expenditure and how that will be reported and whether the taxpayers of the province will have an accurate understanding of the cost of this bill.

1630

I want to move on now to the worker ownership component of this bill. This is an extremely serious matter. I know the people who are viewing this will understand it. I want to get on the record on this thing because, I will tell you, I will have the Hansard out in two or three years and I'll say, "I told you so." In the bill there's a fundamental flaw. On page 16 of the bill there is the establishment of—it's on page 16, subsection (5). I'll just read it out and then I'll explain it:

"(5) A recommendation by the Minister of Industry, Trade and Technology under subsection (4) shall be based upon a recommendation received from the Employee Ownership Advisory Board made after consideration by the board of the matters set out in section 42."

What this means is this. Let's say a group of employees get together and they want to purchase their company. They and the current owners sit down and they work out a

deal. They try to figure out how they can do that. They then have to send that to this Employee Ownership Advisory Board. Later on in the bill, on page 49, section 39, it goes over how the board is established; then on page 50, and this is perhaps the important part, the duty of the board.

The reason I'm raising this is that the Steelworkers who came to see us and made, I thought, exceptionally important points—I don't think there's any organization in the province that knows more about worker ownership than the Steelworkers. I truly believe that. Mr Gerard has been totally involved in this for years and years and years, well before Algoma, but he's been totally involved in the Algoma situation, and the Steelworkers forcefully brought this to our attention. This Employee Ownership Advisory Board will put its stamp of approval on it and, without its approval, the proposal can't go forward.

The board is appointed by the Minister of Industry, Trade and Technology. They shall "appoint not fewer three nor more than 12 persons as members of the board," an equal number of members from each of labour, business and government etc. But this board will evaluate the proposal, and here are some of the criteria that they use. They have to evaluate:

"(a) whether the proposed investment that is the subject of the business plan submitted...under this act is equitable and reasonably commercially viable over the period covered by the plan;

"(b) whether an investment to be made by employees is equitable in the circumstances and in light of the objectives of the proposal; and

"(c) any other matter required to be dealt with...."

And they shall consider industry trends, past performance of the company etc. The problem with this, and the Steelworkers pointed it out, is that what the government—

Mr Bradley: What did the Steelworkers say?

Mr Phillips: My colleague the member for St Catharines asks, "What did the Steelworkers say?" Their testimony was extremely beneficial. I might add that Mr Gerard sent to the Chair of the committee a letter expressing "the disappointment of the Steelworkers that they were not consulted earlier in the process." In fact, they "did not get the invitation to attend tonight until Tuesday," and Mr Gerard was extremely unhappy.

I of course jumped in immediately. I said: "I would be personally happy to invite the Steelworkers to come participate next week, if that would be helpful. I agree with Mr Gerard's letter."

Mr Bradley: I have always found his advice to be very good.

Mr Phillips: Thank you. I agree with that.

I said, "I think probably no one in the country has been more involved in this than Mr Gerard."

The Steelworkers made several important points, this one on the employee advisory board. In the interests of time, because I may run out of time, "Turning to the second point"—this is the Steelworkers. They had to send their lawyer because Mr Gerard was at the convention. I had hoped we could have had Mr Gerard there the following

week but that wasn't to be. This one is related to the operational advisory board.

Mr Bradley: I think he was fighting Sunday shopping, wasn't he?

Mr Phillips: He could have been.

"The view of the Steelworkers is that the advisory board should have its scope of activities limited either by the act"—listen to this. "One of the main concerns with the operation of the advisory board is that it should not have the power to second-guess the people who are actually putting their money on the line. The advisory board should act as a compliance board. It should act to ensure that the spirit and intent of the legislation is satisfied."

"We suggest that the regulations make it clear that any business plan put forward by an employee group should be presumed to be commercially viable and that the onus on the advisory board should be to show that the assumptions underlying the business plans are not supportable."

The point the Steelworkers were making is one we agree with, that is, it is paternalistic or maternalistic for the government to tell the employees it knows their business better than they do. In our view, it's wrong for the government to be in a position where it's going to second-guess the employees who are going to be putting their own money into this program, who are going to be in many respects putting their future into the program.

For several reasons it's wrong to have the employee advisory board making that decision. One is that as soon as we think someone else is going to backstop it, we take the responsibility off ourselves. That's the point the Steelworkers were making. Why should someone else second-guess the workplace? Who knows the business better than the workers who are involved?

Furthermore, and this is extremely important, once this Employee Ownership Advisory Board puts its stamp of approval on it—it literally does. It has to sign off, showing, as I said earlier in my remarks—the duty of the board talks about "equitable and reasonably commercially viable over the period covered by the plan...equitable in the circumstances," etc.

Once this board has put its stamp of approval on it, I think it's reasonable to expect people to believe that someone has looked at this thing and has assured themselves there is a future for this endeavour. Then if the endeavour fails, I think those workers who put their money in have a very strong case for coming to the government and saying: "Listen, you said it was commercially viable. You said you've looked at the industry trends. You said that you think it makes sense. You approved this thing. I put my money in it and it failed. I'm suing you." For those of you who have been around for a longer period of time than myself, you will recall there have been, in cases less clear than this, individuals who have gone after the government for recourse.

1640

I agree with the Steelworkers' concerns as they were expressed to us very strongly. I think it's a mistake the way this Employee Ownership Advisory Board is putting its stamp of approval on, and I think we're going to find

down the road an awful lot of people banging on the front door at Queen's Park and saying, "You got me into this mess; you get me out of it." The Steelworkers were right in saying that responsibility doesn't rest at Queen's Park; it rests in the workplace.

The second area of concern about the worker ownership component, and again I will refer to the Steelworkers' concerns, because they couldn't have been clearer with us—

Mr Bradley: They know the Minister of Labour very well, too.

Mr Phillips: The member for St Catharines indicates they know the Minister of Labour, and I'm surprised that the government would be proceeding with this when the Steelworkers have so many concerns. I repeat to the people who may not be totally familiar with this: If there's an organization that's worked on this stuff, it's the Steelworkers, not just here in Canada but in the US. They probably have more examples of worker ownership programs than anybody.

Their concern is that right now in the bill, once the proposal has gone from the workers to the Employee Ownership Advisory Board and it puts its stamp on it, it then is approved by the minister in order in council. Here's what the Steelworkers say about that, and again I'll try and highlight it, because it's a little bit of a lengthy one here:

"Dealing first with the issue of ministerial discretion, the committee is undoubtedly aware that many industries in Ontario are export-oriented,"—that's what we're all interested in, I think, export-oriented industries; the Premier of the day was talking about that—"and because they are export-oriented they are very concerned about the reactions of their foreign competitors. In particular in the United States many foreign competitors of Canadian industries and Ontario industries are quick to bring trade action over perceived subsidies and government interventions"—the very matter we've been talking about here. The Steelworkers alerted us to this.

"The concern the Steelworkers have is that if Bill 150 is passed in its current incarnation there is a perception that there is too much discretion vested in the hands of the minister, and there is a considerable perception of government intervention in the marketplace. In particular, there is concern that companies that try to adopt Bill 150 and use the tax credits to promote worker ownership will be exposed to trade retaliation. At least, in the context of certain transactions the Steelworkers are interested in, we have consulted trade lawyers in the US who have commented that the ministerial discretion provisions of Bill 150 could give rise to countervail action in the United States. That is a serious concern for any export industry in this province.

"As is pointed out in the submission you have been given, there are a number of specific areas of Bill 150 that give the minister discretion. I understand from reading Hansard of a couple of weeks ago, the comments made by some of the staff members, that the ultimate approval process for tax credits under Bill 150 will be a cabinet order in council." Listen to this: "When we raised the concept of a cabinet order in council being the final decision generating a tax credit, we almost had to peel our trade lawyers in

Washington off the ceiling. In their view, there could not be anything clearer than a cabinet order in council as an indication that there is some kind of government intervention in the marketplace here, and that means countervails, and that means a lot of the companies who probably need worker ownership and need the assistance of this bill will not be able to access it simply because their foreign competition will take them to whatever trade tribunals are appropriate in the foreign countries." This isn't just a US thing. "That is a serious problem with this bill, and I can't overemphasize that point."

Here we have the Steelworkers, and I don't necessarily always agree with the Steelworkers, but I do agree that there's no organization that knows this better than it does and there's no one who's more in the centre of it, having just gone through the Algoma thing and knowing the risks of countervail to Algoma. As a matter of fact, as I think members of the House know, that matter is right now in the courts. Here we have the Steelworkers—

Mr Stephen Owens (Scarborough Centre): You know, Gerry, you shoot first and ask questions later.

Mr Phillips: One of the members is barking over there, but here we have the Steelworkers—

Mr Bradley: It's been a tough day for them; don't be nasty.

Mr Phillips: I'm trying to be helpful here. I'm trying to indicate to the government and particularly the backbenchers—because if they don't speak up, the ministers won't listen to us. We try our best; they won't listen to us. You're going to have to go to caucus and say, "Why are we doing this?" If Leo Gerard says we're putting them into an intolerable position, they're putting them into an intolerable position.

Interjections.

The Acting Speaker (Mr Dennis Drainville): Order, please. Order.

Mr Phillips: Thank you, Mr Speaker. I hope the members opposite appreciate that it's important for organizations like the Steelworkers, the Ontario Federation of Labour and the Canadian Auto Workers to get their views known here on this bill.

That's the second part of the worker-ownership thing we wanted to raise here, and we wanted to point out the Steelworkers' concern on it. We asked the government: "Why won't you get us a legal opinion that gives us some comfort that the Steelworkers' fears are not justified? Give us some comfort here, so we don't end up introducing and passing a piece of legislation that the Steelworkers say this is what's going to happen: There's going to be a company that could benefit from this bill and as they get into it, the workers are going to say, 'What are the risks here?' The lawyers are going to say, 'Well, as we pointed out to the government when they were passing this bill, if this ends up being an order-in-council approval, much of our business in this company is done in the US; we're in trouble.'" Why the government would want to proceed with something the Steelworkers have flagged as a major problem is beyond us. But we couldn't get anywhere on that.

In the interests of time, because my colleagues will also want to speak, I want to move on to the venture capital part of this bill. You recall, Mr Speaker, that we talked about this bill having the two parts, the worker ownership part—and I say to the government members, we're about ready to pass a bill. For those people who may not be familiar with the language around Queen's Park, we're at what's called third reading stage here, and we are only a matter of days away from essentially this bill becoming law.

Yet the worker ownership part and the organization, the Steelworkers, Mr Gerard and that group who are—"desperate" is too strong a word, but are anxious for this bill to be passed, have given us two strong pieces of advice and have said—and what could be clearer than them saying—"We had to almost peel our union trade lawyers off the ceiling in the US when they heard the way this thing was going to be set up"? They said hardly anything could be a clearer indication to competitive trade lawyers in the US and other foreign countries to attack the provisions in the bill. I just hope we don't end up with the product of the Kapuskasing-Spruce Falls project, those products having difficulty accessing the US market because this bill's been set up this way.

I want to go back to what I said earlier. The reason I'm spending the time on this is that I would try to point out, before the bill became law, that I guarantee you we'll be saying, "We told you it was wrong," when we begin to run into these problems. Why the government wouldn't have moved on it, I just can't figure out.

1650

I want to move on to the venture capital part of the project, and this, for those people out there who are wondering about what this is, is the second half of it. The concept, as I said in my opening remarks, is solid. What it attempts to do is to ask individuals to invest their money in this venture capital fund that has a series of criteria for investment and a very strong pro-Ontario bias towards it, which we very much support. In return for that, it's very interesting—I'll just generalize a little bit, but you as an individual, I as an individual, any individual—not the union—any person in Ontario can put \$5,000 a year into this venture capital fund, and it is RRSP-eligible.

You put in \$5,000, and if you're making, probably, \$50,000, you can get a \$2,500 tax credit on your RRSP. Then you get a 20% tax credit from the federal government—that's \$1,000—and you get a 20% tax credit from the province as a result of this bill—that's another \$1,000.

I'm afraid I may run out of time, but what it means—and it's a wonderful potential investment, frankly—is that you can put \$5,000 into it, it's eligible to go into your RRSP and your actual out-of-pocket cost is \$500. I'm not trying to do a sales pitch for Working Ventures, I'm just quoting from the Working Ventures document. But that's the result of this proposal and anyone of us, I think—well, I don't know; because of pensions we may not be able to. But most individuals out there could put \$5,000 a year into it, and your out-of-pocket cost, what it would cost you, is \$500. It's essentially a 90% tax credit because it's RRSP-eligible.

It's a very attractive investment. The federal government, as I think most people know, just took the credit up from 20% of \$3,500 to 20% of \$5,000 in its last budget, so that's where the \$1,000 federal tax credit is. This proposal here is to phase up to the federal one, and you'll get also a \$1,000 tax credit from the province.

I think it could be quite an attractive investment for individuals. I recognize, of course, that the cost is borne by the taxpayers, but it's a good investment. Our questions here are: Does it get at the root problem? What problem are we trying to attack here?

I go back here again to the Canadian Auto Workers. The CAW came to our committee and it had quite a strong brief. They have some real reservations about this. It was Mr O'Neil, the secretary-treasurer of the CAW and Sam Gindin, the assistant to Bob White, president of the CAW, and I will tell you that they had reservations about both parts of the proposal. What the CAW said was that there is no evidence that a lack of venture capital is what is inhibiting the economy.

The Ontario Federation of Labour had a similar comment. Mr Shenk said:

"To our knowledge, there has been no research presented to indicate that a lack of venture capital is a major problem in the economy of Ontario. Either we have missed something or you people know something we don't. We have never seen it documented that this is a major problem, and we think it would be valuable not to assume but to document.

"Second, if there were such 'capital gaps,' the question that arises is, why should union members and other employees be the central focus of raising the necessary monies rather than those individuals and institutions with capital who are in the business of providing it for a fee?"

What I'm saying is that two of our major union organizations, the Canadian Auto Workers—the CAW actually very much reflecting Mr White's view on this, who is strongly against both parts of the bill; and now with Mr White the new president of the Canadian Labour Congress, I suspect the Canadian Labour Congress will have much the same view—and the Ontario Federation of Labour, are both questioning whether this is the right approach.

As a matter of fact, when you have the kind of tax credits we see here, we will hope there is an enormous amount of vigour attached to the investments in these venture capital funds. I know the Working Ventures group that came before us went through its criteria, and I feel confident it will have a rigorous screening exercise for the investments in it.

But the point I'm getting at here is that the big union organizations, apart from the Canadian Federation of Labour, are even questioning whether there's this particular need that this is trying to match. They also question whether it's a good investment. I think most people are familiar with the Quebec solidarity fund, and that's a little bit of the model here.

The OFL said: "As an investment, the rate of return for Quebec solidarity fund shareholders has been very low. A Canada savings bond has a higher rate of return in the long term. If you looked at it over 10 years, for example, by the

end of 10 years, even with the tax breaks, the Quebec equivalent of the fund you are establishing in this bill would not produce more than a Canada savings bond. We would suggest that the reason many Quebec employees have invested in the QSF is more for purposes of a tax break than an investment....Without detailing the evidence here, it is suffice to note that the Quebec solidarity fund record on job creation is also disappointingly low."

The second issue we would have with the venture capital part of this is, is it a good investment vehicle? It may or may not be, and it depends how it's managed.

The third area on the venture capital is, who should participate? At the committee we raised some real concerns about why the bill was limiting participation to unions only. Page 4 of the bill defines employee organizations. "'Employee organization' means, (a) a trade union, (b) an association or federation of trade unions." There was another amendment brought in at the committee hearings to include co-ops, which we incidentally support. We thought that was a good idea.

1700

But we also believe we should broaden the definition of "employee organization" to incorporate, as Saskatchewan does, other employee groups that may not be traditional trade unions. We raised the issue of the Ontario Teachers' Federation. The advice we got at the committee was, "We're not sure whether they would fall into this." But there is an example where, if the committee had accepted our recommendation, which is to use the Saskatchewan definition, then we would have been sure that we could have incorporated teachers' unions or teachers' federations in this bill. But that was rejected.

The reason I raise all of this is that here's what the OFL said about whether it was going to participate in this or not, the venture capital, and frankly if the OFL say no you're talking about a major part of the labour movement.

I said to Mr Schenk: "I appreciate the brief. As you quite correctly point out, to accommodate the social investment fund requires fairly dramatic revisions to the bill," because what the OFL said is the bill could be adapted to meet its needs, but as the bill is currently structured it won't. Then I said, "Is it the OFL's position that, as it's currently structured, the OFL has no interest in it and would not participate?"

What Mr Schenk said was: "We would participate in the first part on employee ownership." That's what I said all along; they would participate in that. "That is a part that we think is valuable. In the Algoma Steel situation I think we virtually have a worker buyout. It's a valuable experiment and perhaps, as we state here, the only way to save people's jobs. It perhaps will lead to some interesting experiments in technology and work design as well, so we're very much in favour of that"—I understand that.

"It's the labour-sponsored investment fund, which is to raise money from workers to give out to those small and medium-sized firms which allegedly have experienced capital gaps, that we don't think is valuable. We would much prefer to have that socially targeted, along the lines of what we suggest. So, yes, it is something that we think

needs substantial amendment and it's something that we do not favour."

Then I went on to say, "Well, does that suggest you wouldn't participate in it?" and Mr Schenk said, "We are not interested in participating in the labour-sponsored investment fund aspect of the act." I went on to say: "Does it make much sense for the government to proceed with it, then? There are two groups, I think, that are eligible, yours and the Canadian Labour Congress. You're the huge organization here in Ontario. What economic value is there in even proceeding with this if you're not going to participate?"

My point is this: The government's going to go ahead with this. The Canadian Federation of Labour is participating in it and that's fine. But we are deliberately restricting the groups that can run these venture capital funds at the particular time when the OFL says it's not going to run it. So why not adopt the Saskatchewan model? Why not do what they've done in Saskatchewan? But that amendment was defeated.

I would like to get on the record, because I think, if you accept our concern about this bill, down the road we are no doubt going to want to be looking at some substantial amendments. I believe that at the committee hearing the committee indicated—I think it was the parliamentary assistant; I'll find it here in a moment; here it is. I actually think the minister today indicated it as well. I understand the government will have its way; we will not get the amendment passed that will allow us to expand who could participate in it, but I want to read into the record that the government is receptive to adding other organizations in the future. I think the minister today said she wanted some experience with it.

The parliamentary assistant, Mr Johnson—I think he's the parliamentary assistant—said: "The government is therefore satisfied that the proposed definition of employee organization for LSIF"—that's the labour-sponsored investment fund—"purposes is both reasonable and prudent for the time being. The government does not, however, preclude at some future point, after some necessary experience on this program has been gained, a wider range of employee organizations which may establish LSIFs"—labour-sponsored investment funds.

The reason I raise this is that I am convinced that in this area, when the OFL has wiped its hands of it and the government's going to be looking for organizations that want to take on the responsibility of managing these venture capital funds—I hoped the bill could have accommodated broadening it. I hoped we could have dealt with it now, but in the future, at least, we see that the government is receptive to adding additional groups.

The concern with the entire bill is that we were told time and again that this—worker ownership and worker participation—was going to be a key element in getting the Ontario economy rolling again. We agree with the concepts. We agree very much with the need to involve more worker ownership, we agree very much with the need to develop pools of capital, but I just want to refresh our memory on the concerns I've tried to articulate and the frustration we've had in dealing with them.

Here we have the worker participation bill, which could be easily fixed. The Steelworkers, the organization that has all the experience with it, came in and pointed out the problems with it and yet we can't get the government to accommodate those two concerns. Again, the two concerns are that we're having this third party put its stamp of approval on the proposal, and the Steelworkers are saying to us: "How can you expect some group outside the workplace to understand our business and to go over our plans and approve or disapprove? How can you have so little faith in the workers of the province that they wouldn't have the good common sense to understand what they're getting into?"

Seriously, if you think about what we all stand for, and that is participation and understanding and faith in the working people of the province, this runs absolutely contrary to it, because essentially you're saying: "I don't care whether you think it's a good idea or not. I don't care whether the workers in that plant think it's a good idea or not. I don't care whether you've looked at it and you've determined through energy and activity that it's a good idea. We're going to make that final decision."

When you think about that, why do these things work? They work because there is a total feeling of participation and wanting to make it work. Here's what's going to happen, and the Steelworkers pointed it out to us: You are going to have somebody here at Queen's Park second-guessing the workers in Kapuskasing. Now, this bill wasn't in place when the Kapuskasing deal went through, but it does affect Kapuskasing because this is retroactive. I repeat, why are we supporting this? It's to help workers in Kapuskasing and others. But can you imagine? What if the workers in Kapuskasing and the unions and the town organizations and the various individuals who put all their sweat into that proposal, had gone through all that activity and said, "Listen, we're prepared to bet on the future of this company"—and I suspect that in many of these circumstances it will work, not because it's an easy business proposition and the kind of thing where, if you went out and said to a bunch of Bay Street investors, "Will you invest in this?" they'd look at the numbers and do it. They may well say, "No, I won't invest in that," but the workers in Kapuskasing know they can make it work.

1710

But this bill doesn't leave that decision with them. It comes down here to some bureaucratic process where it's going to be sent to this employee advisory committee, and this board, appointed by the minister, is going to have the requirement to second-guess the workplace. It says here:

"The board shall apply any written direction given to it generally or in any particular case by the Ministry of Industry, Trade and Technology, and shall evaluate in accordance with this act and regulations."

Whether the proposed investment that is subject to the business plan submitted with any proposal in this act is equitable, reasonably commercially viable over the period covered by the plan, whether an investment to be made by the employees is equitable in the circumstances in light of the objectives of the proposal, believe me, this is—

Mr Bradley: Dynamite.

Mr Phillips: Dynamite, as my colleague says. It also is insulting to the workplace parties to say that somebody down here knows better than they do, that they don't have the ability to assess the business plan and they don't have the ability to make the determination that this is economically viable. After all, they are the people who will be putting their money into it.

It says here:

"In any evaluation under subsection (1), the board shall consider,

"(a) industry trends and prospects affecting the eligible business;

"(b) the past and projected performance of the eligible business;

"(c) the competitive position of the eligible business; and

"(d) such other considerations affecting the economy of Ontario as are from time to time indicated to the board by the Minister of Industry, Trade and Technology to be relevant."

Talk to people who have been successful in either starting a business up or turning a business around—and this is what this is for—and they will inevitably tell you, "If I knew then what I know now, I wouldn't have done it." But they did it. They had a blind faith in the future, they had a blind faith in their fellow workers. They sat around at a table and said: "All right, this is going to be tough. I know it's not going to be easy." In the case of Kapuskasing, a major North American corporation said it couldn't make it go, but the workers, the union, the town and some of the management team all said, "We can make it go." To the best of my knowledge they're making it go.

So why would we take that responsibility away from them and say, "You do all your little work but we'll make the decision down here"? Why would we put the people in the position where they know they're going to be second-guessed, so they say, "Fine, we'll send it down there and let them do the thinking"? That's not how you treat people in the workplace. The Steelworkers couldn't have been clearer.

I think the members know I follow carefully the whole issue of plant closures and layoffs. I view them as human tragedies. By the way, in July there were 18 closures; seven of them, I think, are CAW plants. I haven't added up the Steelworkers but I suspect the Steelworkers are involved in many of these.

The individual who probably faces the most grief in a situation like that, apart from the individual workers, is the union president, because as soon as that happens the members look to him or her for help and advice and ask, "What are we going to do?"

Here's a tool we are about to pass into law in the next few days which the people in these various plants—the 18 in July, the 74 in the year to date—would be looking at as a mechanism, perhaps, to help them. For the ones that have already closed, maybe it's too late, but certainly ones in the future.

The Steelworkers come to us and say: "Listen, we've got concerns with this thing. We've got major concerns

with the Employee Ownership Advisory Board." We share those concerns for a slightly different reason, but they are the same concerns. We're frightened that down the road we will have misled workers who have invested their money, because they will think once that stamp of approval's on it, the government somehow or other is going to back it up.

We can say whatever we want about that. We can say, "That's not the case," and "Buyer beware," and you can put a big stamp on it, but I think once this Employee Ownership Advisory Board does all its work, all the industry stuff, acknowledges it's commercially viable and puts a stamp on it, certainly I, as someone investing my money, would feel I've got a level of comfort as a result of that.

The Steelworkers are saying: "Don't do that. Leave that to the workplace parties." They clearly understand they are going to make it work, they are going to make this successful, they are going to look it over and evaluate it.

A point that can't be lost is the risk the workers are taking in this, because many of us make investments, whatever they are: We buy Canada savings bonds; some of us own cottages—I don't own a cottage. Many of us make investments, but in this particular case, the investment also is an investment where you work, so it's an enormous step. You've got your money in there; you've got your job. In some respects, the community's at stake here.

When the Steelworkers make the recommendation to leave it to the workplace parties, I think people should listen to it. When the Steelworkers make the comment, as they did, about the risk we put these companies at in terms of trade sanctions, I think we should listen because I will say again: Nobody knows this stuff better than the Steelworkers. They've been involved for at least a decade in it and what they said I want to emphasize again in this point about ministerial discretion:

"As is pointed out in the submission you have been given, there are a number of specific areas of Bill 150 that give the minister discretion. I understand from reading Hansard of a couple of weeks ago, the comments made by some of the staff members, that the ultimate approval process for tax credits under Bill 150 will be a cabinet order in council. When we raised the concept of a cabinet order in council being the final decision generating a tax credit, we almost had to peel our trade lawyers in Washington off the ceiling. In their view, there could not be anything clearer than a cabinet order in council as an indication that there is some kind of government intervention in the marketplace here, and that means countervails, and that means a lot of the companies who probably need worker ownership and need the assistance of this bill will not be able to access it, simply because their foreign competition will take them to whatever trade tribunals are appropriate in the foreign countries."

I want to emphasize that last point, because this isn't just Canada-US. The Steelworkers clearly point out "whatever trade tribunals are appropriate in the foreign countries." This is a serious problem with this bill, and I cannot overemphasize that point, yet we are choosing to go ahead.

1720

Again as I look at the various circumstances, Mr Speaker, you can imagine as you look at these plant closures, many of them involve companies that rely on export business. When the Premier was talking the other day, he talked about the need for—I think he talked about world mandates.

Mrs Caplan: World product mandates.

Mr Phillips: World product mandates. Thank you, member for Oriole. The Premier said that is his vision of the future. In many respects I share that. I think IBM in Canada has been successful because it has had a world mandate for many products, some software products and some hardware products. The example the Premier used was, I gather, that Camco had a world mandate for some products.

Mr Monte Kwinter (Wilson Heights): They thought they had.

Mr Phillips: My knowledgeable colleague the member for Wilson Heights, who knows this matter better than I do, points out that Camco thought it had a world mandate. That was the issue he raised the other day in the Legislature.

My point is this: The Steelworkers have been clear with us. They want to invest in the future. They want to get the Steelworkers involved in ownership. They want to get involved not just when things get really tough, as in Algoma, but when things aren't that tough. They can see their ownership owning a significant share of companies that aren't at that critical point where you're trying to save them.

The Steelworkers have told us that if we pass this bill as it's structured, the value of this bill diminishes dramatically. They're going to be put in a tough spot. They'll say to the workers, "We can try this bill, and we'll try to use it to provide you with some modest tax breaks on your investment." I think the people of the province understand that what is proposed here is that you can invest up to \$15,000 a year and you can get a tax break. But they're going to be put in a really tough position because they'll have to say to their members: "There's a risk here. If our competitors, wherever we're selling this product, choose to, there's the possibility they can take us to the trade tribunal, whether it's in Germany, Japan, the United States or wherever, because of the way this thing is structured with the ministerial discretion."

Mrs Caplan: And the central control.

Mr Phillips: And the central control, as my colleague points out.

I go back to the point I made at the beginning of this debate, that the opposition parties—certainly our party—are put in a tough spot. We want to be helpful to organizations like in Kapuskasing and that's why we will support the bill. We want to see successful pools of venture capital developed and that's why we'll support the bill. We've tried to point out where the improvements could be made.

The employee advisory board set up by government to put on a stamp of approval is going to cause grief to people like the Steelworkers. I guarantee you that whoever is in government four or five years from now, they'll be

parading up and down out front saying, "You put the stamp of approval on this business, it's gone under, I've lost my job, I've lost my \$15,000 a year investment that I counted on for retirement, and you owe me," and frankly they're going to have a bit of a point. So we have trouble with the employee advisory board.

The ministerial signing of the document has been signalled—the Steelworkers almost hit the committee over the head with a sledgehammer to try and get it to pay attention to that. In fact I think their final comment was, "That is a serious problem with this bill, and I can't over-emphasize that point." But we didn't do anything about it.

As I say, as the Steelworkers attempt to use this mechanism in the next circumstance, they're in a dilemma. They'll have to inform the Steelworkers that there's a risk in the process, that we may on the one hand be able to use the bill for tax breaks and on the other hand subject the company in the future to all sorts of trade retaliation, all because the bill is being set up in the way it is.

On the venture capital side, the Ontario Federation of Labour has—I used language in the House the other day I regret now. I should simply have said the OFL has said it won't participate in it. I said they will—

Interjection: You didn't say that.

Mr Phillips: Well, I don't want to use it again, but I used the term, "The OFL essentially said, 'Count us out of the venture capital part.'"

Mr Bradley: You'd better explain that. People may think it was worse than it was.

Mr Phillips: I just said they essentially said to shove the proposal somewhere else. I used the word "shove" and I regret using that, but they essentially told the government to shove the bill somewhere else, because they won't participate in the venture capital.

The opposition will be supporting it. We've done our best to be as constructive as we can. I wish the government had listened to us, and I guarantee we will say, "We told you so," when the problems come.

The Acting Speaker: Questions and/or comments?

Mr Owens: The member for Scarborough-Agincourt makes some rather interesting observations with respect to Bill 150. In terms of his comments regarding the Steelworkers' concern about the potential of a free trade countervail, I think there's two things the member should keep in mind, the first of which is that this program is of a general application, so we are not in essence subsidizing one particular industry.

I think second, and probably just as important, history since this free trade agreement has been signed has demonstrated to us that our neighbours to the south tend to shoot first and then ask questions later. It doesn't seem to matter what kind of protections or optical appearances you put in. If the legislators to the south determine in their minds politically that an issue is being subsidized, they will certainly apply for those countervail actions.

In terms of the investor protection, the Ontario Securities Commission has worked hard to work out a health warning that is both specific and written in plain language so investors will have an absolute opportunity to understand the other

risks they are taking in terms of the investment. The stakeholders like Mr Begg and Working Ventures will work with these groups to ensure that working people have a clear understanding of what is being called the health warning so they understand what is at stake with respect to their investment.

I think in terms of the employee ownership, not only are we looking for ailing companies, but this is also an opportunity for healthy companies to take advantage of additional capital they may otherwise have great difficulty in raising. I think the Canadian Federation of Independent Business indicated that 25% of small businesses indicated that they had difficulty obtaining capital.

1730

The Acting Speaker: Questions and/or comments?
The member for York Centre.

Mr Sorbara: I hope my friends in the government caucus paid careful attention to the remarks of my friend from Scarborough-Agincourt. Indeed, through the magic of telecommunications, I was able to follow the initial part of my friend's remarks here in the House, much of his speech, listening to it in my office on the parliamentary channel and the remainder of his speech here.

I did so because I believe without any equivocation that the member for Scarborough-Agincourt understands the details and the weaknesses and the strengths of Bill 150 in a way that no other member of this Legislature does, and I regretfully include the minister responsible for the bill in that and perhaps many of her bureaucrats as well.

He has studied this bill in its finest detail and he has talked about it at length here to try to impress upon the government one more, final time that there are ways in which the government could amend and restructure and improve this bill so that it really would achieve the objectives that the government says it wants to achieve, including expanding the opportunities for working people to participate in the equitable ownership of the very business entities that could come into the hands of working people as a result of this bill.

Unfortunately, I don't believe that's going to happen. Although the minister has, to give her credit, sat through this debate, I don't believe that she has listened carefully enough to realize that the improvements recommended here in the remarks of my friend from Scarborough-Agincourt are thoughtful, articulate and could make this piece of legislation a truly good piece of work from this House. The fact that they are not listening is to be regretted.

The Acting Speaker: Questions and/or comments?
The member for St Catharines.

Mr Bradley: My concern, as it is with so many of these bills, is with the amount of time that might be available for the consideration of these bills. The member mentioned in his speech his concern about that. He spent considerable time on the bill and I think it was very helpful that he had that allotted amount of time to deal with the people who had made submissions regarding this bill, people he had met with, people who had been before a committee.

My concern is that there may be other members of the House who have some additional information that would be relevant and pertinent to this bill and that because of the 30-minute restriction on any speeches that may be delivered in this regard, I'm wondering whether the member feels that is going to prevent members of the House from carrying out their responsibilities appropriately and whether the bill will get the kind of consideration it should as a result.

I commend to the member, in making this judgement, the column in the Toronto Star that was written by Carol Goar, a national columnist, which talks about the federal House of Commons as compared to this House here. It talks about the federal House of Commons and how it has become irrelevant, partially because of the kind of rules that Premier Rae has imposed upon this House. They've also imposed them on the federal House and other legislative and parliamentary chambers and whether there was a feeling in the member's mind, in relation to this bill, that this is going to confine that opportunity of members to deal with it.

Of course the Premier, as we know, has limited the number of days, as has Prime Minister Mulroney, that the Legislature can sit. As a result, a number of bills cannot be dealt with probably as appropriately as they might be and the amount of legislation the government wants through may not be able to get through.

Finally, I'm interested in the taking away of the power from the neutral, objective, elected Speaker and placing it in the hands of the Premier's office.

The Acting Speaker: Questions and/or comments? The member for Oriole.

Mrs Caplan: I'm pleased to rise and have a couple of minutes to compliment my colleague the member for Scarborough-Agincourt, who has, I think, over the last few minutes given an excellent presentation on every facet of this piece of legislation. He has outlined very clearly the different components of the bill, those things that are supportable, those parts of it that are flawed, and he has pointed out, I think in a very articulate way, in a way that is easy for people watching this debate to understand, how complicated and complex it is, but also many of the important criticisms that that are a part of this bill.

My constituents in the riding of Oriole should be very interested in this bill, but I can tell you that I don't think I've had one phone call or one letter from a constituent, primarily because this piece of legislation at this point in time is not understood by the general public, even though the labour-sponsored investment fund is open and available to every citizen in the province.

I'm hoping to have the opportunity to speak on this bill—and under the new rules I will be restricted to 30 minutes—and I'm looking forward to doing that next week as the critic for the Ministry of Revenue. This is a Revenue-sponsored bill. I've taken the time to study the bill thoroughly. I participated at committee, and there are many comments that I am looking forward to being able to share with members of this House.

I think this bill could have some very significant impact on not only business and unions within the province but also individuals, and I would say to the minister that she should listen to what the member for Scarborough-Agincourt has had to say.

The Acting Speaker: The honourable member for Scarborough-Agincourt has two minutes to respond.

Mr Phillips: Just on the timing one, because I realize that perhaps some people who are watching at home may not appreciate what we're going through here. We in the Legislature now have some brand-new rules that severely limit how much time we are able to debate a bill. This bill is going to have a cost to you out there, the taxpayers, of \$250 million a year, but more important, it's an important bill and it's the only opportunity we in the opposition have to let our views be known to the public.

There are what are called committees here. The government has a majority membership on them. They take place in a committee room, out of the spotlight, away from the public. This is the only opportunity we have to raise our concerns, to share those concerns with all members of the Legislature and to share our concerns with the members of the public.

Here we have again a bill that I wish I could have had more time on. I've only dealt, frankly, with the highlights of my concerns. I was able to speak for 90 minutes. Now my colleagues will have a chance to speak for only 30 minutes on it. It does severely limit the opportunity that we have to let our views be known. The government may not want to hear our views, but I think the people of Ontario sent us here to let our views be known.

In terms of the comments from other members from Scarborough, I was very clear in my remarks to point out that the Steelworkers weren't talking about the US. They were saying they were concerned that their foreign competitors will take them to whatever trade tribunals are appropriate in the foreign countries. They were talking about all the countries. It was the Steelworkers' concerns I was raising.

The Acting Speaker: Further debate? The honourable member for Carleton.

Mr Sterling: I am pleased to join the debate this afternoon on Bill 150. I guess I'm a little disappointed, though, after having found out in the last 10 minutes or so that it is perhaps the government's intention to cut off third reading debate on Bill 150 with a motion which may or may not be called on Monday. We would have an opportunity to debate that motion, I presume, on Monday, but we would be debating the motion as to whether or not there will be any more speakers on Bill 150. Notwithstanding that, it had been clearly my intention before I stood up to adjourn the debate at this time, but I'm not going to do that because I may not get another opportunity to speak on this particular motion for third reading of Bill 150.

1740

Unlike the Liberal opposition, we voted against this bill on December 18 of last year on second reading, and we intend to vote against it on third reading as well. We want to do that because we consider Bill 150 to be a colossal ripoff of the taxpayer of Ontario. This is going to cost

taxpayers some \$250 million. We are not convinced—in fact we are certain that under either the investment plan as defined in the first part of the bill or the investment plan under part II of the bill—we don't think that either part of the bill will create one single job in Ontario. It may in fact preserve for a short period of time some jobs, but we do not believe that Bill 150 as outlined will help many new businesses out. We don't think it will deal with some of the problems of struggling businesses either.

I thought the New Democratic Party was a party that wanted to close tax loopholes. I thought I heard that from many of the NDP politicians in the last election. I thought they talked about tax loopholes like they were next to the most grievous sin a person could undertake.

Mr Speaker, I want to bring to your attention an insert that was put into the *Globe and Mail*, I think two or three months ago, which embodies Bill 150 in a commercial sense. It says on the outside of it, "Take Advantage of New Tax Legislation." In other words, "Come on into the loophole which the New Democratic Party has created for people who have money in this province."

You open it up and it says in here, "Now There's a Way to Keep More of Your Tax Money," ie, "We're creating a new tax loophole here in Ontario, even though we're the New Democratic Party and we talked about tax loopholes as being bad things, we talked about doing away with tax loopholes, we talked about doing away with corporations which don't pay any taxes." We get none of that.

We don't even see a follow-through to their promises with regard to the existing tax loopholes in some of the legislation, as they would define them. We see the New Democratic Party creating a new tax loophole for Ontario taxpayers. Is it going to cost us? "Well, not very much money, only \$250 million," it's estimated, and even we don't even know if it is limited to \$250 million. It seems to be an open-ended program whereby if enough people got a hold of this particular investment vehicle, it could blow up to \$500 million, or whatever.

I guess as a Conservative I would not be as concerned about this particular matter if I was convinced that the money these taxpayers are not going to pay for our social services which we hear so often about—we hear the Treasurer lamenting that he doesn't have enough money to pay for hospital beds. He doesn't have money to pay for the Victorian Order of Nurses in my own Ottawa-Carleton area, and I was complaining about that earlier today. He wants to give that out to people who might invest in businesses across this province.

But when we sat in the finance and economic affairs committee this past May and June and heard people come in front of that committee, we found that this investment fund which is going to be created through our taxpayers' dollars, that money is not going to end up in small businesses, it's not going to help small businesses that might want to set up businesses in this province, it's not going to help out entrepreneurs who might want to start new endeavours. It's going to help out publicly listed stock companies, it's going to help out existing shareholders in those public companies by raising the price of those shares on the Toronto Stock Exchange. That's basically what's going

to happen with this legislation, and at a cost of \$250 million to this province.

I want to refer specifically to one brief to our committee by the Canadian Federation of Independent Business. I think their remarks are most salient to the whole idea of trying to help small business create new job opportunity. If in fact that's what they want to do, I suggest that they take the advice of the Canadian Federation of Independent Business.

"CFIB's analysis of this program shows the program is not an appropriate vehicle for encouraging modernization, growth and restructuring in small and medium-sized Ontario companies. It also shows that Ontario taxpayers, including the small business community, will not get good value for their hard-earned cash dollars from this program. A better use of the \$250 million, which would accomplish the above-noted objective of the program, is to exempt the first \$400,000 of payroll from the purview of the employer health tax."

In other words, what small business would rather see instead of the NDP government setting up a new tax loophole, as it does under this program, is some relief given to small businesses that have employees at this time or that could see their way to expanding their business and hiring a few more people. We all know what a retrogressive tax the employer health tax is because it discourages employers from hiring additional employees. In addition to paying the wages, Canada pension plan, workers' compensation, all of those other things, you've got to pay 2% to the government under that particular tax.

CFIB points out that in addition to that help they might provide for small business, the whole setup of this labour-sponsored venture capital program is really that what the government is doing is setting up a new form of mutual fund. What they're doing is going to set up the opportunity for new mutual funds which will be labour-union-sponsored to set up in competition with existing mutual funds.

Mr Tony Martin (Sault Ste Marie): In cooperation.

Mr Sterling: No, they're going to be driving it. The labour union is going to be driving these—

[Failure of sound system]

Mr Bradley: What has Dave Cooke done now?

The Acting Speaker: Order, please. I'd ask the House to hold on.

I'd like to say to the honourable members that at this point we've got emergency power here in the chamber. There's no power in a lot of the building at this point in time. We are going to continue with the sitting. We'll have to see if Hansard is still recording. We are going to continue the session until 6 o'clock. If we are not recording, we'll have to adjourn the House.

Interjections.

The Acting Speaker: Order, please. Hansard does not seem to be recording, so I'm going to recognize the honourable member for Niagara South, who will give a business report for next week.

BUSINESS OF THE HOUSE

Hon Shirley Coppen (Minister without Portfolio): Pursuant to standing order 53, I will give a business report for next week.

On Monday, July 20, Tuesday, July 21, Wednesday, July 22 and Thursday, July 23, 1992, we will debate the following:

Government notice of motion 13 on time allocation—

Mr Norman W. Sterling (Carleton): On a point of order, Mr Speaker: I realize that Hansard is not there, but I don't believe that it's proper you take the floor from me, and I would comply with your wishes and adjourn the debate.

The Acting Speaker (Mr Dennis Drainville): My apologies to the honourable member. The honourable member will still have the floor; there's no question about that at this point. I'd like to say that, first of all, to the member for Carleton.

We have just received different news that apparently Hansard is recording at this point in time. We did not have that news a moment ago. I would say, with the members' agreement, that if we could go on with the business statement, it being nearly 6 of the clock, we'll adjourn the debate for the day.

Mr Sterling: Mr Speaker, I move the adjournment of the debate.

The Acting Speaker: It's not necessary.

Mr Sterling: It's not 6 of the clock.

The Acting Speaker: Apparently it's not necessary. You will still have the floor when we begin this debate again. The honourable member for Niagara South.

Hon Mrs Coppen: Government notice of motion 13 on time allocation of Bill 150, An Act to provide for the Creation and Registration of Labour Sponsored Venture Capital Corporations to invest in Eligible Ontario Businesses and to make certain other amendments;

third reading of Bill 150;

second reading of Bill 75, An Act respecting Annexations to the City of London and to certain municipalities in the County of Middlesex; second reading of Bill 168, An Act to amend the Pay Equity Act; second reading of Bill 169, An Act to amend the Public Service Act and the Crown Employees Collective Bargaining Act; second reading of Bill 164, An Act to amend the Insurance Act and certain other Acts in respect of Automobile Insurance and other Insurance Matters.

The Acting Speaker: It now being 6 of the clock, this House stands adjourned until Monday next at 1:30 of the clock.

The House adjourned at 1754.

**LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor/Lieutenant-gouverneur: Lt Col The Hon/L'hon Henry N. R. Jackman CM, KStJ, BA, LLB, LLD

Speaker/Président: Hon/L'hon David Warner

Clerk/Greffier: Claude L. DesRosiers

Clerk Assistant and Clerk of Committees/Greffier adjoint et Greffier des comités: Smirle Forsyth

Clerk Assistant and Clerk of Journals/Greffier adjoint et Greffier des journaux: Alex D. McFedries

Sergeant at Arms/Sergent d'armes: Thomas Stelling

| Constituency | Name of member | Party | Other responsibilities |
|-----------------------|---------------------------|-------|--|
| Algoma | Wildman, Hon/L'hon Bud | ND | Minister of Natural Resources, minister responsible for native affairs/ministre des Richesses naturelles, ministre délégué aux Affaires autochtones |
| Algoma-Manitoulin | Brown, Michael A. | L | Chair, standing committee on general government/ Président du Comité permanent des affaires gouvernementales |
| Beaches-Woodbine | Lankin, Hon/L'hon Frances | ND | Minister of Health, minister responsible for substance abuse strategy/ministre de la Santé, ministre responsable de la Stratégie de prévention de la toxicomanie |
| Brampton North/-Nord | McClelland, Carman | L | Vice-Chair, standing committee on general government/ Vice-Président du Comité permanent des affaires gouvernementales |
| Brampton South/-Sud | Callahan, Robert V. | L | |
| Brant-Haldimand | Eddy, Ron | L | |
| Brantford | Ward, Brad | ND | parliamentary assistant to Minister of Industry, Trade and Technology, responsible for trade and technology/ adjoint parlementaire du ministre de l'Industrie, du Commerce et de la Technologie et délégué au Commerce et à la Technologie |
| Bruce | Elston, Murray J. | L | opposition House leader/ chef parlementaire de l'opposition |
| Burlington South/-Sud | Jackson, Cameron | PC | Chair, standing committee on estimates/ Président du Comité permanent des budgets des dépenses |
| Cambridge | Farnan, Mike | ND | Vice-Chair, standing committee on the Legislative Assembly/ Vice-Président du Comité permanent de l'Assemblée législative |
| Carleton | Sterling, Norman W. | PC | |
| Carleton East/-Est | Morin, Gilles E. | L | Deputy Speaker and Chair of the Committee of the Whole House/ Vice-Président et Président du Comité plénier de l'Assemblée législative |
| Chatham-Kent | Hope, Randy R. | ND | parliamentary assistant to Minister of Community and Social Services/adjoint parlementaire du ministre des Services sociaux et communautaires |
| Cochrane North/-Nord | Wood, Len | ND | parliamentary assistant to Minister of Natural Resources/ adjoint parlementaire du ministre des Richesses naturelles |
| Cochrane South/-Sud | Bisson, Gilles | ND | parliamentary assistant to Minister of Northern Development and Mines, parliamentary assistant to minister responsible for francophone affairs/adjoint parlementaire de la ministre du Développement du Nord et des Mines, adjoint parlementaire du ministre délégué aux Affaires francophones |
| Cornwall | Cleary, John C. | L | |
| Don Mills | Ward, Margery | ND | parliamentary assistant to Minister of Government Services/ adjointe parlementaire du ministre des Services gouvernementaux |
| Dovercourt | Silipo, Hon/L'hon Tony | ND | Chairman of Management Board of Cabinet, Minister of Education/président du Conseil de gestion du gouvernement, ministre de l'Éducation |
| Downsview | Perruzza, Anthony | ND | parliamentary assistant to Minister for Skills Development/ adjoint parlementaire du ministre de la Formation professionnelle |
| Dufferin-Peel | Tilson, David | PC | |
| Durham Centre/-Centre | White, Drummond | ND | Chair, standing committee on regulations and private bills/ Président du Comité permanent des règlements et des projets de loi privés |
| Durham East/-Est | Mills, Gord | ND | parliamentary assistant to Minister of Municipal Affairs/ adjoint parlementaire du ministre des Affaires municipales |
| Durham West/-Ouest | Wiseman, Jim | ND | parliamentary assistant to Minister of Correctional Services/ adjoint parlementaire du ministre des Services correctionnels |
| Durham-York | O'Connor, Lawrence | ND | parliamentary assistant to minister responsible for the greater Toronto area/adjoint parlementaire de la ministre responsable du Bureau de la région du grand Toronto |
| Eglinton | Poole, Dianne | L | |
| Elgin | North, Hon/L'hon Peter | ND | Minister of Tourism and Recreation/ ministre du Tourisme et des Loisirs |
| Essex-Kent | Hayes, Pat | ND | parliamentary assistant to Minister of Agriculture and Food (agriculture)/adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation (agriculture) |

| Constituency | Name of member | Party | Other responsibilities |
|---|---------------------------|-------|--|
| Essex South/-Sud | Mancini, Remo | L | Chair, standing committee on public accounts/ Président du Comité permanent des comptes publics |
| Etobicoke-Lakeshore | Grier, Hon/L'hon Ruth A. | ND | Minister of the Environment, minister responsible for the greater Toronto area/ministre de l'Environnement, ministre responsable du Bureau de la région du grand Toronto |
| Etobicoke-Humber | Henderson, D. James | L | |
| Etobicoke-Rexdale | Phillip, Hon/L'hon Ed | ND | Minister of Industry, Trade and Technology/ ministre de l'Industrie, du Commerce et de la Technologie |
| Etobicoke West/-Ouest | Stockwell, Chris | PC | |
| Fort William | McLeod, Lyn | L | Leader of the Opposition/chef de l'opposition |
| Fort York | Marchese, Rosario | ND | parliamentary assistant to the Premier, parliamentary assistant to Minister of Intergovernmental Affairs/adjoint parlementaire du premier ministre, adjoint parlementaire du ministre des Affaires intergouvernementales |
| Frontenac-Addington | Wilson, Hon/L'hon Fred | ND | Minister of Government Services/ ministre des Services gouvernementaux |
| Grey | Murdoch, Bill | PC | |
| Guelph | Fletcher, Derek | ND | parliamentary assistant to Minister of Consumer and Commercial Relations/adjoint parlementaire de la ministre de la Consommation et du Commerce |
| Halton Centre/-Centre | Sullivan, Barbara | L | |
| Halton North/-Nord | Duignan, Noel | ND | Chair, standing committee on the Legislative Assembly/ Président du Comité permanent de l'Assemblée législative |
| Hamilton Centre/-Centre | Christopherson, David | ND | parliamentary assistant to Treasurer of Ontario and Minister of Economics/adjoint parlementaire du Trésorier de l'Ontario et du ministre de l'Économie |
| Hamilton East/-Est | Mackenzie, Hon/L'hon Bob | ND | Minister of Labour/ministre du Travail |
| Hamilton Mountain | Charlton, Hon/L'hon Brian | ND | Minister of Financial Institutions, acting Minister of Energy/ ministre des Institutions financières, ministre de l'Énergie par intérim |
| Hamilton West/-Ouest | Allen, Hon/L'hon Richard | ND | Minister of Colleges and Universities, Minister of Skills Development/ministre des Collèges et Universités, ministre de la Formation professionnelle |
| Hastings-Peterborough | Buchanan, Hon/L'hon Elmer | ND | Minister of Agriculture and Food/ ministre de l'Agriculture et de l'Alimentation |
| High Park-Swansea | Ziemba, Hon/L'hon Elaine | ND | Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations/ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales |
| Huron | Klopp, Paul | ND | parliamentary assistant to Minister of Agriculture and Food (food)/ adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation (alimentation) |
| Kenora | Miclash, Frank | L | opposition deputy whip/whip adjoint de l'opposition |
| Kingston and The Islands/ Kingston et Les Îles | Wilson, Gary | ND | parliamentary assistant to Minister of Culture and Communications/ adjoint parlementaire de la ministre de la Culture et des Communications |
| Kitchener | Ferguson, Will | ND | |
| Kitchener-Wilmot | Cooper, Mike | ND | deputy government whip; Chair, standing committee on administration of justice/whip adjoint du gouvernement, Président du Comité permanent de l'administration de la justice |
| Lake Nipigon/Lac-Nipigon | Pouliot, Hon/L'hon Gilles | ND | Minister of Transportation, minister responsible for francophone affairs/ministre des Transports, ministre délégué aux Affaires francophones |
| Lambton | MacKinnon, Ellen | ND | Vice-Chair, standing committee on regulations and private bills/ Vice-Présidente du Comité permanent des règlements et des projets de loi privés |
| Lanark-Renfrew | Jordan, W. Leo | PC | |
| Lawrence | Cordiano, Joseph | L | Vice-Chair, standing committee on public accounts/ Vice-Président du Comité permanent des comptes publics |
| Leeds-Grenville | Runciman, Robert W. | PC | Chair, standing committee on government agencies/ Président du Comité permanent des organismes gouvernementaux |
| Lincoln | Hansen, Ron | ND | Chair, standing committee on finance and economic affairs/ Président du Comité permanent des finances et des affaires économiques |
| London Centre/-Centre | Boyd, Hon/L'hon Marion | ND | Minister of Community and Social Services, minister responsible for women's issues/ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine |
| London North/-Nord | Cunningham, Dianne | PC | Progressive Conservative chief whip/ whip en chef du Parti progressiste-conservateur |

| Constituency | Name of member | Party | Other responsibilities |
|---|--------------------------------|-------|---|
| London South/-Sud | Winninger, David | ND | parliamentary assistant to Attorney General, parliamentary assistant to minister responsible for native affairs/adjoint parlementaire du Procureur général, adjoint parlementaire du ministre délégué aux Affaires autochtones |
| Markham | Cousens, W. Donald | PC | |
| Middlesex | Mathysen, Irene | ND | parliamentary assistant to Minister of the Environment/ adjointe parlementaire de la ministre de l'Environnement |
| Mississauga East/-Est | Sola, John | L | |
| Mississauga North/-Nord | Offer, Steven | L | |
| Mississauga South/-Sud | Marland, Margaret | PC | Vice-Chair, standing committee on estimates/ Vice-Présidente du Comité permanent des budgets des dépenses chief opposition whip/whip en chef de l'opposition |
| Mississauga West/-Ouest | Mahoney, Steven W. | L | parliamentary assistant to Minister of Tourism and Recreation; |
| Muskoka-Georgian Bay | Waters, Daniel | ND | Vice-Chair, standing committee on resources development/ adjoint parlementaire du ministre du Tourisme et des Loisirs, Vice-Président du Comité permanent du développement des ressources |
| Nepean | Daigeler, Hans | L | Vice-Chair, standing committee on social development/ Vice-Président du Comité permanent des affaires sociales |
| Niagara Falls | Harrington, Margaret H. | ND | parliamentary assistant to Minister of Housing/ adjointe parlementaire de la ministre du Logement |
| Niagara South/-Sud | Coppen, Hon/L'hon Shirley | ND | Minister without Portfolio, chief government whip/ ministre sans portefeuille, whip en chef du gouvernement |
| Nickel Belt | Laughren, Hon/L'hon Floyd | ND | Deputy Premier, Treasurer of Ontario and Minister of Economics/ vice-premier ministre, Trésorier de l'Ontario et ministre de l'Économie |
| Nipissing | Harris, Michael | PC | leader of the Progressive Conservative Party/ chef du Parti progressiste-conservateur |
| Norfolk | Jamison, Norm | ND | parliamentary assistant to Minister of Industry, Trade and Technology, responsible for small business/adjoint parlementaire du ministre de l'Industrie, du Commerce et de la Technologie, délégué aux Affaires des petites entreprises |
| Northumberland | Fawcett, Joan M. | L | |
| Oakville South/-Sud | Carr, Gary | PC | |
| Oakwood | Rizzo, Tony | ND | |
| Oriole | Caplan, Elinor | L | |
| Oshawa | Pilkey, Hon/L'hon Allan | ND | Solicitor General, Minister of Correctional Services/ Solliciteur général, ministre des Services correctionnels |
| Ottawa Centre/-Centre | Gigantes, Hon/L'hon Evelyn | ND | Minister of Housing/ministre du Logement |
| Ottawa East/-Est | Grandmaitre, Bernard C. | L | |
| Ottawa-Rideau | O'Neill, Yvonne | L | |
| Ottawa South/-Sud | McGuinty, Dalton J.P. | L | |
| Ottawa West/-Ouest | Chiarelli, Robert | L | |
| Oxford | Sutherland, Kimble | ND | parliamentary assistant to Chairman of Management Board of Cabinet; Vice-Chair, standing committee on finance and economic affairs/ adjoint parlementaire du président du Conseil de gestion du gouvernement, Vice-Président du Comité permanent des finances et des affaires économiques |
| Parkdale | Ruprecht, Tony | L | |
| Parry Sound | Eves, Ernie | PC | Progressive Conservative House leader/ chef parlementaire du Parti progressiste-conservateur |
| Perth | Haslam, Hon/L'hon Karen | ND | Minister of Culture and Communications/ ministre de la Culture et des Communications |
| Peterborough | Carter, Jenny | ND | parliamentary assistant to Minister of Citizenship, responsible for human rights, disability issues, seniors' issues and race relations/ adjointe parlementaire de la ministre des Affaires civiques, déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales |
| Port Arthur | Wark-Martyn, Hon/L'hon Shelley | ND | Minister of Revenue/ministre du Revenu |
| Prescott and Russell/ Prescott et Russell | Poirier, Jean | L | |
| Prince Edward-Lennox-South Hastings/ Prince-Edward- Lennox-Hastings-Sud | Johnson, Paul R. | ND | parliamentary assistant to Minister of Revenue/ adjoint parlementaire de la ministre du Revenu |
| Quinte | O'Neil, Hugh P. | L | |
| Rainy River | Hampton, Hon/L'hon Howard | ND | Attorney General/Procureur général |
| Renfrew North/-Nord | Conway, Sean G. | L | Deputy Leader of the Opposition/chef adjoint de l'opposition |
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| S.-D.-G. & East Grenville/ S.-D.-G. & Grenville-Est | Villeneuve, Noble | PC | Second Deputy Chair of the Committee of the Whole House/ Deuxième Vice-Président du Comité plénier de l'Assemblée législative |

| Constituency | Name of member | Party | Other responsibilities |
|--|----------------------------------|-------|--|
| St Andrew-St Patrick | Akande, Zanana | ND | parliamentary assistant to the Premier |
| St Catharines | Bradley, James J. | L | |
| St. Catharines-Brock | Haeck, Christel | ND | government whip; Vice-Chair, standing committee on the Ombudsman/ whip du gouvernement, Vice-Présidente du Comité permanent de l'ombudsman |
| St. George-St. David | Scott, Ian G. | L | |
| Sarnia | Huget, Bob | ND | parliamentary assistant to acting Minister of Energy/ adjoint parlementaire du ministre de l'Énergie par intérim |
| Sault Ste Marie/ Sault-Sainte-Marie | Martin, Tony | ND | parliamentary assistant to Minister of Education/ adjoint parlementaire du ministre de l'Éducation |
| Scarborough-Agincourt | Phillips, Gerry | L | |
| Scarborough Centre/-Centre | Owens, Stephen | ND | parliamentary assistant to Minister of Financial Institutions/ adjoint parlementaire du ministre des Institutions financières |
| Scarborough East/-Est | Frankford, Robert | ND | |
| Scarborough-Ellesmere | Warner, Hon/L'hon David | ND | Speaker/Président |
| Scarborough North/-Nord | Curling, Alvin | L | opposition deputy whip/whip adjoint de l'opposition |
| Scarborough West/-Ouest | Swarbrick, Anne | ND | |
| Simcoe Centre/-Centre | Wessinger, Paul | ND | parliamentary assistant to Minister of Health/ adjoint parlementaire de la ministre de la Santé |
| Simcoe East/-Est | McLean, Allan K. | PC | Vice-Chair, standing committee on government agencies/ Vice-Président du Comité permanent des organismes gouvernementaux |
| Simcoe West/-Ouest | Wilson, Jim | PC | |
| Sudbury | Murdock, Sharon | ND | parliamentary assistant to Minister of Labour/ adjointe parlementaire du ministre du Travail |
| Sudbury East/-Est | Martel, Hon/L'hon Shelley | ND | Minister of Northern Development and Mines/ ministre du Développement du Nord et des Mines |
| Timiskaming | Ramsay, David | L | |
| Victoria-Haliburton | Drainville, Dennis | ND | First Deputy Chair of the Committee of the Whole House/ Premier Vice-Président du Comité plénier de l'Assemblée législative |
| Waterloo North/-Nord | Witmer, Elizabeth | PC | |
| Welland-Thorold | Kormos, Peter | ND | Chair, standing committee on resources development/ Président du Comité permanent du développement des ressources |
| Wellington | Arnott, Ted | PC | |
| Wentworth East/-Est | Morrow, Mark | ND | Chair, standing committee on the Ombudsman; Vice-Chair, standing committee on administration of justice/ Président du Comité permanent de l'ombudsman, Vice-Président du Comité permanent de l'administration de la justice |
| Wentworth North/-Nord | Abel, Donald | ND | government whip/whip du gouvernement |
| Willowdale | Harnick, Charles | PC | |
| Wilson Heights | Kwinter, Monte | L | |
| Windsor-Riverside | Cooke, Hon/L'hon David | ND | Minister of Municipal Affairs, government House leader/ ministre des Affaires municipales, chef parlementaire du gouvernement |
| Windsor-Sandwich | Dadamo, George | ND | parliamentary assistant to Minister of Transportation/ adjoint parlementaire du ministre des Transports |
| Windsor-Walkerville | Lessard, Wayne | ND | parliamentary assistant to Minister of Colleges and Universities/ adjoint parlementaire du ministre des Collèges et Universités |
| York Centre/-Centre | Sorbara, Gregory S. | L | |
| York East/-Est | Malkowski, Gary | ND | parliamentary assistant to Minister of Citizenship, responsible for human rights, disability issues, seniors' issues and race relations/ adjoint parlementaire de la ministre des Affaires civiques, déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales |
| York Mills | Turnbull, David | PC | |
| York North/-Nord | Beer, Charles | L | Chair, standing committee on social development/ Président du Comité permanent des affaires sociales |
| York South/-Sud | Rae, Hon/L'hon Bob | ND | Premier, President of the Executive Council, Minister of Intergovernmental Affairs/premier ministre, président du Conseil des ministres, ministre des Affaires gouvernementales |
| Yorkview | Mammoliti, George | ND | parliamentary assistant to minister responsible for substance abuse strategy/adjoint parlementaire de la ministre responsable de la Stratégie de prévention de la toxicomanie |

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Clerk/Greffier: Douglas Arnott

Ombudsman/Ombudsman

Chair/Président: Mark Morrow
Vice-Chair/Vice-Présidente: Christel Haeck
Members/Membres: Zanana Akande, Dennis Drainville, Noel Duignan, D. James Henderson, Paul R. Johnson, Frank Miclash, Bill Murdoch, Anthony Perruzza, David Ramsay, Elizabeth Witmer
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**Regulations and private bills/
Règlements et projets de loi privés**

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Vice-Chair/Vice-Présidente: Ellen MacKinnon
Members/Membres: George Dadamo, Ron Eddy, Mike Farnan, Ron Hansen, W. Leo Jordan, Gord Mills, Tony Ruprecht, John Sola, Kimble Sutherland, Jim Wilson
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Resources development/Développement des ressources

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No. 54

Nº 54

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**Legislative Assembly
of Ontario**

Second Session, 35th Parliament

**Assemblée législative
de l'Ontario**

Deuxième session, 35^e législature

**Official Report
of Debates
(Hansard)**

Monday 20 July 1992

**Journal
des débats
(Hansard)**

Lundi 20 juillet 1992



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 20 July 1992

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

CHILD CARE

Mrs Yvonne O'Neill (Ottawa-Rideau): My statement today refers to the NDP child care conversion package, a plan that falls far short of the recommendations of the all-party committee which studied this subject.

The business case approach which is advocated by this NDP government provides no compensation for intangible assets such as name recognition and reputation. It is in sharp contrast to what is generally accepted as the good business practice of paying fair market value when the owner of a business is bought out.

This compensation package is not fair and indeed it will not be seen to be fair by the independent operators or the public. We are now presented with a very complex and nebulous set of criteria that will determine eligibility for conversion: the social planning aspects of the local community; the length and stability of its waiting list; the size and stability of its revenue stream.

This so-called conversion plan presents a bureaucratic nightmare to independent day care operators. This government's child care conversion package lacks clarity, fairness and vision, not only for the operators but for the many children and families they have served, will serve and are serving.

MUNICIPAL GOVERNMENT

Mr Norman W. Sterling (Carleton): As many members of the assembly will be aware, the Minister of Municipal Affairs appointed Mr Graeme Kirby to consult with the people of Ottawa-Carleton about the future of their municipal government in May of this year. One of the possible changes Mr Kirby was to consult and advise on was moving to a single municipal government or one-tier government for the entire Ottawa-Carleton area.

Before that consultation is completed and before Mr Kirby has reported his recommendations, the ministry has now released a discussion paper that indicates there would not be any financial savings realized by a move to one-tier government, nor would such a move result in better efficiency.

With this in mind, I believe it makes sense to immediately call off Mr Kirby's \$175,000 study. If it is apparent that money cannot be saved, then further study of a one-tier government becomes an exercise in futility and we should at the very least save any dollars yet to be spent on the study.

If this government is determined to study the streamlining of the functions of municipal government, then perhaps it might instead consider looking at the amalgamation of the five school boards in the Ottawa-Carleton area. There are five boards—some say six when you consider

that the French board has both a public and a Catholic component. It would be no surprise at all if such a study would reveal that the majority of the Ottawa-Carleton citizens would like to see less overlapping and duplication in their education system rather than in their municipal system.

VICTIMS OF VIOLENCE

Mr Anthony Perruzza (Downsview): I rise in the aftermath of the assassination of a top magistrate, Paolo Borsellino, to voice my outrage at this abhorrent act of violence. This brutal assassination which took place yesterday, a few short weeks on the heels of the Falcone assassination, claimed the lives of five other people and injured 20 innocent bystanders.

In the wake of this tragedy, I rise before this House today to express my deepest regrets that devastating acts of crime and violence such as these are becoming more prevalent in our societies and, as many newspaper reports indicate, are on the rise.

Whether it is organized crime which takes the lives of government officials and innocent bystanders or whether a violent act or violent crime takes place on the streets of Toronto, communities must pull together to resist these elements in our societies. These acts of brutality must be denounced.

In this regard, a meeting has been planned for this evening with members of the community for the purpose of organizing a rally in support of our brothers and sisters who have been victimized by such brutal displays of violence. I believe we need to assure our communities that such brutal acts will not be tolerated, and I encourage my colleagues to do the same.

SEXUAL ASSAULT

Ms Dianne Poole (Eglinton): Over the past year and a half we've been bombarded by NDP rhetoric boasting that the NDP is the sole guardian of women's interests in this province. But recent events have shown that the NDP cabinet ministers are either too incompetent, too negligent or too uncaring to translate this rhetoric into action.

First we had the incredible case of the Minister of Correctional Services, who for the past year has remained unaware or perhaps uninterested in the sexual harassment taking place within his ministry. As incredible as it seems, even when it reached the stage of a gang rape in a ministry facility, this minister was still in the dark.

It now appears that there is an epidemic. We have learned that two more cabinet ministers, the Minister of Tourism and Recreation and the Minister of Energy, were unaware of sexual harassment and assault occurring within their ministries. In response to two separate sexual assaults at Ontario Place and Old Fort William, the Minister of Tourism and Recreation, Peter North, said: "I wasn't aware. I am now. I hadn't heard of this, honest to God."

Later the minister admitted that he did have some information, but only the fact that there were some investigations and a problem involving sexual assaults. Isn't it absurd that the minister at first didn't know what he knew, and then when he finally figured out what he knew, it was obvious he hadn't cared enough to ask any questions about these serious charges?

The NDP has to cut its rhetoric, cut its incompetent cabinet ministers and get down to the job of protecting the women of this province.

RESIDENTS' PRIVACY

Mr Chris Stockwell (Etobicoke West): I rise today to once again plead the case of a group of Etobicoke West residents who live on Wareside Road. For 15 years these residents have been plagued by disturbances coming from a Metropolitan Toronto Housing Authority building that backs on to their properties. For 15 years they have been pleading with municipal and provincial politicians and the MTHA itself for help. Promises have been made, and again promises have been broken. Their quality of life is still severely disrupted.

The most recent broken promise concerns the MTHA pledge that it would respond promptly to any call of complaint from the Wareside residents. Last weekend a group of MTHA residents were playing basketball while loud music was blaring until 4 o'clock in the morning. They were playing in the parking lot at the back of the building. Calls were made to both the MTHA security and to the Metropolitan Toronto Police. MTHA did not even respond, and the police said they were too busy to send a car over.

On April 30 of this year, I wrote to the Minister of Housing to formally request a meeting to discuss these matters. This request hasn't even been acknowledged. The minister seems to be under the impression that everything is in fact under control, but the problems are still occurring.

I urge the minister at least to respond to my letter and take some action now to end this 15-year dispute. I don't think it's asking very much to ask the Minister of Housing to at least respond to a letter and potentially arrange a meeting. They're not asking for much, and it's a reasonable request.

1340

RIDING OF PRINCE EDWARD-LENNOX-SOUTH HASTINGS

Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings): The summer is about one third over, but I'm sure in the province of Ontario there are many families that haven't yet decided exactly where they would like to take their vacations. As a representative for Prince Edward-Lennox-South Hastings, I would like to suggest to them that they might come to that riding in eastern Ontario.

If you're heading to parts of eastern Ontario beyond my riding, I might suggest that you take a little detour off the 401 and travel the Loyalist Parkway. The Loyalist Parkway will take you through a very scenic part of my

constituency. It has some very incredible museums. It has Sandbanks Provincial Park, which represents one of the finest representations of baymouth sand dunes in Ontario, if not North America, and it certainly would be a place that many people would enjoy visiting.

There are many opportunities in Prince Edward-Lennox-South Hastings to visit museums and to visit many of the small towns. If you should happen to come, I would suggest that you might even want to bring a bicycle, because in Prince Edward-Lennox-South Hastings, in that particular part of Ontario, life goes considerably more slowly. You might want to take a bike and just bike around some of the bike tours that have been arranged in that area and visit some of the very fine and outstanding historical sites.

LABOUR LEGISLATION

Mr Michael A. Brown (Algoma-Manitoulin): In yet another example of this NDP government's stifling debate and democracy, we're seeing a continuance of the unholy alliance between New Democrats and Conservatives. The New Democrats, with the support of the Conservatives, rammed through rule changes in this House to stifle the opposition to the Labour Relations Act. Now the government continues to orchestrate and stage-manage the committee that will conduct the public hearings.

Last week the Conservatives, with the support of New Democrats, restricted public access to the hearings in the province at large to only two weeks. This means that the committee will only travel to six cities. The NDP majority decided not to go to Barrie, Peterborough, Sault Ste Marie, Timmins, Sarnia, Hamilton or Kitchener. Unless people are willing to travel to Toronto or one of the six blessed cities, they will not have their say on changes to the Labour Relations Act. These hearings will be the most restricted on labour legislation in recent history. The NDP member for Guelph voted not to hold hearings in Guelph; the NDP member for Cochrane North voted not to have hearings in Kapuskasing; the NDP member for Muskoka-Georgian Bay voted not to go to Gravenhurst. Perhaps most sadly, the Conservative member for Waterloo North and that party's Labour critic decided not to hold hearings in Kitchener.

LIQUOR STORES

Mr Ernie L. Eves (Parry Sound): I rise today to bring the agency liquor store program to the attention of the Minister of Consumer and Commercial Relations. At present this program does not extend south of Highway 17, with the exception of a single pilot project in eastern Ontario.

As the minister is aware, I have had several inquiries from constituents who are interested in obtaining agency liquor stores in their communities. I have in turn discussed the matter with the Minister of Consumer and Commercial Relations and the Liquor Licence Board of Ontario. It is my understanding that the review of the agency liquor store program is still under way.

Minister, the review has been going on for one year now. I have yet to receive a concrete response from your

ministry as to whether the expansion will ever take place. In fact, I have not received a response from your ministry to my letter dated February 5, 1992.

In keeping with this government's commitment to northern Ontario status for the entire district of Parry Sound and Nipissing, and, more important, as the public and the tourism industry in these more remote, smaller communities in Parry Sound could be more practically served by extending the agency store program, I would urge the minister to do so.

NIAGARA-ON-THE-LAKE

Ms Christel Haeck (St Catharines-Brock): It's with pleasure I rise today to remind the members of this House and members of the public that back in 1792, Niagara-on-the-Lake, then called Newark, was the first capital of the province. To mark the first Parliament, the province, along with the town, will be hosting a special session of the Legislature in Niagara-on-the-Lake.

Just to remind everyone, September 17 is the date and I invite all members and the public to attend. The Speaker and the Clerk, for the benefit of the members here, will be arranging our celebrations and I hope all members will be able to attend this historic event.

On behalf of the riding of St Catharines-Brock and the municipality of Niagara-on-the-Lake, I would like to take this time to invite the families of members to also participate because, as members probably realize, Niagara-on-the-Lake is the gem of the province of Ontario and has such wonderful amenities—beautiful architecture, a wonderful park, beautiful landscape all around—and obviously would love to host your families as well.

I do hope all members will take the time to celebrate our bit of history, our 200th anniversary, September 17 in Niagara-on-the-Lake.

VISITOR

The Deputy Speaker (Mr Gilles E. Morin): I would ask the House to please recognize in the west gallery the former member for Kitchener, Mr David Cooke.

APOLOGY

Mr Gregory S. Sorbara (York Centre): On a point of privilege, Mr Speaker: In his first throne speech the Premier remarked, "We will make mistakes, and when we make mistakes, we'll acknowledge them." Mr Speaker, I've made a mistake and I want to take this opportunity to acknowledge it and to issue an apology to the security guards of this building.

Back on June 29, the first day we were sitting after the regular session, I stood up and in a jocular way pointed out that I thought the Parliament could get along without security guards, members, the Sergeant at Arms, the table officers and indeed the Speaker himself, but we couldn't get along without pages. Unfortunately those remarks, although they were intended to be jocular, were I think taken seriously by the security guards who protect us in this place.

Subsequent to that, a brief, rather jocular column was written in the Toronto Sun by Anne Dawson, pointing out

that there were no pages sitting in the extended version of this session, and that Sorbara had said that we could get along without security guards but we couldn't get along without pages, and I think that just compounded the problem.

I want to say in seriousness that the security guards in this building do an incredibly magnificent job in providing for the members. They, along with all of the other people who make this building work, work very, very hard, and what's interesting is that they provide a degree of security in a business that now and again has its own insecurities in a way that makes the public and the members feel perfectly comfortable in this building.

I want to say to them that we do acknowledge the hard work they provide and the degree of security they provide. With respect to my comments made several days ago, I simply want to issue an apology to them and say that all the members of this House appreciate their work and have a high degree of respect for the work they do.

The Deputy Speaker (Mr Gilles E. Morin): I fail to recognize this as a point of privilege, but I will certainly pass on your remarks to the security guards.

STATEMENTS BY THE MINISTRY

MINISTRY TRAINING SCHOOL

Hon Allan Pilkey (Solicitor General and Minister of Correctional Services): I have a statement. I'm announcing today that I have appointed Madam Justice Inger Hansen to conduct an independent review of my ministry's Bell Cairn Staff Development Centre in Hamilton. This review will focus on allegations of sexual harassment and assault occurring at the centre and the ministry's response to these allegations. I have also asked Justice Hansen to make recommendations about working conditions within the ministry based on her review of Bell Cairn.

I want to reassure this House that this review will in no way interfere with the criminal investigation already under way into the sexual assault allegations.

Subject to the constraints imposed by the ongoing criminal investigation and freedom of information and privacy considerations, I will shortly be tabling all ministry communication materials relating to Bell Cairn.

These events are deeply troubling and I profoundly regret that the women in this ministry may be subjected to sexual harassment, abuse or assault. This minister and this government will not allow this situation to continue.

1350

RESPONSES

MINISTRY TRAINING SCHOOL

Mr Ian G. Scott (St George-St David): Everybody in the House who knows her has confidence in the Honourable Madam Justice Inger Hansen, who we are sure will conduct a significant investigation.

The important matters to be investigated are of course not the matters that are the subject of the criminal process, which is ongoing, but have to do with the conduct of the minister and his relationship with his ministerial staff and

with his bureaucratic staff, because without complete ignorance on the part of the minister, culpable or not, the events with which we are concerned—which, according to one reporter, amount to acts of gang rape against public servants—simply would not have happened.

The minister is naïve to say today that he's releasing the correspondence. The correspondence was all released by the member for Scarborough-Agincourt on Friday. To say that he's releasing the correspondence as if something new were happening is just to play loose with the press and the public. He's trying to close the door long after the horse has escaped.

One columnist highly touted by the Premier only last week had this to say about this minister and these incredible events:

"Yet still, we are told by Pilkey that neither he nor his aides knew anything. He claims he was in the dark until last Tuesday, when Tory MPP Bob Runciman first raised the matter in the Legislature.

"Assuming the fantastic to be true, that every top official in the corrections ministry knew of trouble at Bell Cairn"—which has been documented for almost a year—"except the minister, (and given this government the fantastic probably is true) a rational observer is left with only one conclusion—the minister was grossly incompetent.

"Ministers have to know what is going on in their ministries. They have to know to be able to manage their portfolios....

"A minister who cannot keep on top of his department has no business being in cabinet."

What needs to be investigated and probably cannot be investigated properly under the new rules that have now been passed, because the matter may not get to a committee, is whether the minister is incompetent or whether he has achieved for himself what President Reagan and Colonel North called absolute deniability. Absolute deniability is achieved in the United States, under a practice that may have been adopted by this government, when a minister says to his staff, "Don't tell me the bad news so when it comes up in the Congress or the House I can deny that I know anything about it."

The minister—his colleagues laugh; they may have perfected the same system—if he is not incompetent, is advancing the American theory of deniability. The fact is, the minister has to go. No responsible government in Canada can tolerate a minister who is unable, after a year of scuttlebutt and conversation in his department, to manage it effectively.

We've had a number of cases in this House, all of which have been serious, but few of which have been as serious of this. The fact of the matter is the Premier probably isn't going to fire the Solicitor General and Minister of Correctional Services for the same reason he didn't fire the Minister of Northern Development, who passed a lie detector test. The reason he's not going to fire them is the political downside is too great: He knows both their dads.

Mr Robert W. Runciman (Leeds-Grenville): I too want to respond to the statement made by the Minister of Correctional Services today. I want to comment at the out-

set with respect to his comments at the end of his statement about profoundly regretting that women in the ministry may be subjected to sexual harassment, abuse or assault. I suggested last week that in some respects those words are empty, hollow words, as indicated pretty strongly by the fact that memos were circulating within the ministry for, I guess it was, up to nine months with respect to concerns at the Bell Cairn training institute.

This minister has indicated that neither he nor any member of his staff was aware that those memos were circulating among senior members of ministry staff. Up to this point, I have not joined in the chorus calling for the minister's head but, based on the revelations that have been made public and another matter that I'm going to be raising in question period later today, I think there's no question that the incompetence shown by the minister—I regret to say this—cannot be described as other than staggering.

I think that's unfortunate because I know the member for Oshawa knows that I like him personally. I've been very reluctant to take a stand with respect to seeing him resign from this position, wanting to give him an opportunity for a full explanation, but we have not been receiving that, certainly not an explanation that stands up under scrutiny.

There are a couple of tragedies in this. One is with respect to the women who were assaulted and the way they were so concerned about not revealing it because of peer pressure and because of lack of confidence with respect to the superiors in their ministry and the way it would be handled. That is indeed a tragedy.

There's another tragedy and that is with respect to the deputy minister, Ms Palozzi, who is a 20-year career civil servant. I was advised today by someone who worked with her in the Ministry of Education, where she was an assistant deputy minister and was responsible for dealing with sexual harassment cases, that this was an individual who got very actively involved in these kinds of issues, who was very concerned. It raises the whole spectre of whether or not we can believe what the government is telling us about this woman and whether indeed she did refuse to take this to her superiors.

I think when we look at her 20-year career and the job she did in the Ministry of Education, it raises real concerns about the credibility of what we're hearing from the other side of this House with respect to Ms Palozzi. I want to say it appears that the minister and the government have hung this lady out to dry. Her professional credibility is now in tatters.

To compound this even further, they've circled the wagons. They've moved her into the secretary of cabinet's office where they can keep a close eye on her, make sure she talks to no one and we do not hear her side of this story. They've also placed a gag order on all ministry staff, telling them they cannot talk about this issue to anyone in the media or anyone in the public. What are they hiding?

I expressed concerns—I don't know if this is a response to the question I asked the Premier last week—about the appropriateness of the cabinet secretary carrying out an investigation. We need some further expansion on

the terms of reference of this investigation. But I thought it was totally inappropriate for the cabinet secretary to be carrying out this kind of investigation into what happened within the bureaucracy. This is a man who's in charge of a system that failed and the Premier is asking him to investigate why it failed. I said it was putting a fox in the hen-house, and that's exactly what it is.

We need some further explanations about Ms Palozzi's role in this: if indeed she communicated with the cabinet secretary or anyone in his office, and if indeed they communicated with anyone in the Premier's office. I think these are very important issues. We need to get to the bottom of it. We won't when the Premier is hiding the deputy in his cabinet secretary's office and he's put a gag order on all members of the ministerial staff. There's much more to this.

We need a full and open hearing in this matter. We're not getting it from this government yet. We need a further explanation with respect to the terms of reference. There's an awful lot of this that has to come to light. I want to assure the Premier and his government that we're going to continue to press him on this issue.

1400

ORAL QUESTIONS

MINISTRY TRAINING SCHOOL

Mrs Lyn McLeod (Leader of the Opposition): It's quite clear that today's announcement of the appointment of an independent investigator at the Bell Cairn facility is not in any way a response to the issue of ministerial responsibility. Last week, my colleagues revealed a series of Ministry of Correctional Services memos detailing the disciplinary problems at Bell Cairn. Those memos date back to September 1991. I ask the minister, given the blizzard of memos throughout his ministry, which we now know extended over a period of almost a year, how is it possible that he had no knowledge whatsoever of these concerns?

Hon Allan Pilkey (Solicitor General and Minister of Correctional Services): The simple answer to that question is that I was not advised, nor was my staff, of this matter as it was being handled within the ministry. I've indicated today in the statement that there will be additional materials released as soon as possible, which I expect may well be tomorrow, that in part will bear rather directly on the question from the Leader of the Opposition, and from that she will clearly understand the answer to her own question.

Mrs McLeod: That was indeed much too simple an answer. I find it extraordinary that this minister can rise in this House and attempt to convince the people of Ontario that he knew absolutely nothing about the problems at Bell Cairn. The Bell Cairn opening a year ago was obviously a major undertaking for his ministry. The minister's own press release at the time highlights the fact that the additions cost \$5 million and added 42 permanent jobs to his ministry's payroll.

Is this minister really trying to tell us that after the grand opening of this facility, the words "Bell Cairn" were never uttered again in his presence? Is he really trying to

tell us that he didn't bother to ask for an update on what was happening at this facility, the facility that costs his ministry literally millions of dollars each year to support? Are the concerns about harassment and assault on the part of his own ministry staff considered not serious enough to bring to this minister's attention? If these issues aren't serious enough to make the minister aware of them, what issues are?

Hon Mr Pilkey: The matters are indeed quite serious and of absolute interest to this minister. I want to say, however, that I cannot act if I am not made aware of the problem or am denied the information. I would like to share with you, Mr Speaker, the leader of the official opposition and all members of the House this information. Once I was made aware of this situation, I took immediate and direct action. Let's just review quickly what they were.

First, I called a police investigation into this matter for the express purpose of having any perpetrators brought to justice if any criminal acts have been created.

Second, I shut down the Bell Cairn centre and I have suggested to everyone that it will not reopen until I am personally satisfied that it has been returned to the kind of safe, harassment-free workplace it was intended to be and that none of our employees, female or male, will be subjected to any kind of circumstances alleged there previously.

Third, I announced the appointment of—and I've identified that person today—an independent investigator to review all these matters with respect to Bell Cairn, who will generate for us additional information, additional findings and, perhaps most important, recommendations to ensure that this kind of matter does not happen in the future.

Mrs McLeod: I simply cannot believe that any minister would be kept in the dark about something as significant as ongoing disorder in his training facility or systematic sexual harassment and assault in his ministry itself. There are only two possible explanations I find credible. Either this minister is so peripheral to the work of his ministry that no one bothers to inform him, or it is a conscious direction of the ministry to protect this minister from controversy by trying to sweep problems under the rug in the hopes no one will notice and in this way the minister is protected by his ability to deny any knowledge when the problem does suddenly erupt in the public light.

Either way, this gross mismanagement reflects either negligence or sheer incompetence on the part of the minister. Will this minister not acknowledge that his behaviour has indeed been negligent and that his management of his ministry is tragically incompetent, and will he not give the Premier his resignation?

Hon Mr Pilkey: I can answer that question quite simply. I have no intention of resigning this portfolio or any other. I have, on an immediate and action-oriented basis, on a problem-solving basis, acted on the basis I've outlined. I think that's totally credible, totally appropriate. I can't act on information that's been denied me.

The Deputy Speaker (Mr Gilles E. Morin): New question.

Mrs McLeod: My second question is also for the Minister of Correctional Services. I want in this question to address the very serious consequences of the mismanagement that we're attempting to ask this minister to address.

The memos we released last week indicated that there have been escalating incidents of violence and abusive behaviour at Bell Cairn since last September, yet nothing was done. There was then a report that two women had been sexually assaulted, and still nothing was done. In fact, nothing was done until this situation was made public. That the incidents at Bell Cairn were allowed to escalate into sexual assault is completely and solely the responsibility of the Minister of Correctional Services.

Do you not recognize that this behaviour is not just inappropriate and unacceptable but that this behaviour lies at the root of pervasive, devastating problems of sexual harassment and abuse, and that refusal to take immediate action is a major part of the problem? How can you possibly excuse your behaviour, and how can you expect the Premier to excuse it?

Hon Mr Pilkey: Absolutely, the conduct that was contained in those memorandums is inappropriate and unacceptable. There isn't a question about it. There's not a question in the Leader of the Opposition's mind about that; there's not a question in my mind about that, and I'm sure there's not a question in anybody's mind about that.

The fact of the matter is that when advised, all of the appropriate and direct actions have been taken to stamp out this kind of circumstance so that it will not be present in our ministry or any ministry within the entire Ontario public service. That's what's been done and that's what going to be accomplished before this is all over.

Mrs McLeod: My question is in fact whether or not this minister understands how far beyond simply inappropriate and unacceptable this behaviour is.

I have here a letter dated September 26, 1991, from a Ministry of Correctional Services area manager who's complaining about an incident involving one of her staff. The letter reads in part, "I am very disturbed that Miss X was subjected to this kind of inconsiderate behaviour and harassment by correctional officers." The letter goes on to say: "What alarms me most about this incident is the fact that Miss X did not feel safe in a ministry facility where the individuals responsible for this behaviour were ministry personnel being trained in the areas of safety and security."

This minister is responsible for a ministry of 8,600 employees. This minister is responsible for their safety and security. I would ask the minister, does he not yet realize that he has completely failed in this most fundamental of undertakings?

Hon Mr Pilkey: I do not accept that I have failed. I do accept that the system to some extent, in this particular area, has failed. That's why I have commissioned this independent individual, this investigator, who will bring to light all of this information, and that's why I have said that once seized of the information, I have acted immediately and promptly and I think very decisively.

Mrs McLeod: Let me try once more to describe how serious I feel the consequences of this lack of acceptable

behaviour on the part of the ministry are. The minister's failure to deal with the issues at Bell Cairn have ramifications that to me seem truly frightening. The people who were involved in this behaviour at Bell Cairn left Bell Cairn to work in facilities across this province. They are in positions of authority.

If there is sexual harassment and assault among the staff, what are we likely to expect is occurring in settings where these people are in a position of power? This minister's refusal to accept responsibility for what has occurred is the reason no one in his ministry has accepted responsibility for what was occurring and why no action was taken. This minister must understand how serious this issue is. He must understand how serious the consequences are of his ministry officials' refusal to act when they became aware of the situation.

Will you not understand that your ministry's refusal to act is your failure, and will you not now accept that responsibility and offer your resignation?

Hon Mr Pilkey: The only responsibility I will respect in terms of the questioning is to fix and eradicate this problem, and that in fact I will do and have put in motion the variety of mechanisms that will achieve that. I wish to reiterate to the Leader of the Opposition that you can't act on information that has not been provided to you, but that once seized of it, you do have a responsibility. I have met that responsibility and I will solve this particular problem.

1410

Mr Robert W. Runciman (Leeds-Grenville): I want to suggest, with a question to the Minister of Correctional Services, that the minister has not met his responsibilities. Earlier this year, the minister made a decision and personally attended a meeting announcing his decision to disband the Minister's Advisory Committee on Corrections, the committee that was responsible for investigating concerns of ministry officials and providing reports directly to the minister's office. The 10 members of this committee had access to all provincial correctional facilities and institutions. The committee was charged with a mandate of providing advice and feedback on issues of concern in the ministry. The committee was a third-party body which had input to the minister. In the spring of this year, Mr Pilkey, the Minister of Correctional Services, met personally with the committee and told it, "Thank you, but no thanks, your services are no longer required." Will the minister indicate to the House today why he made that decision?

Hon Mr Pilkey: The member is right in his factual account, but I can't speak to the spin he places on the matter. In order to completely fill out the information he's brought forward, it's not to say that the minister's committee will not be reconstituted, for in fact I may, and I will make the appointments deemed appropriate to that committee if it is.

Second, what is not pointed out is that what we have added is a very broad-based, community-representative, ministry-stakeholder group, including the Elizabeth Fry Society, the John Howard Society, OPSEU and a wide variety of people who either work with or are in and

around the corrections ministry. This large group will finally be given an opportunity to have input on future Ministry of Correctional Services policy. It will not only be policy that is generated out of head office, but has a broad community base. These people finally have that grass-roots opportunity for input. That is a group I've also constituted and met with and that is very familiar with matters with respect to the ministry.

Mr Runciman: What the minister conveniently forgot to mention was that a deputy minister chairs that committee that he appointed to replace a third-party committee. That's like the board of directors of a corporation appointing a president to handle a complaints committee—simply ludicrous.

The minister conveniently omitted mentioning some advice he received at that meeting when he met this committee and told it, "Your services are no longer required." I've had a call on this from someone sitting in and attending that meeting. The committee members warned Mr Pilkey that he was setting himself up because ministry personnel would not be providing him with accurate information. He was warned in February of this year that if he disbanded this committee, he was setting himself up, yet he said, "Goodbye, get out of here." He gave them the royal kiss-off and now he's paying the price.

The minister has not provided an adequate justification for that. I want him to stand up and say why he ignored that advice and that very clear warning.

Hon Mr Pilkey: This is a political spin at best. I have met with the committee that is referenced by the honourable member opposite.

Interjection.

The Deputy Speaker: Take your seat.

Interjection.

The Deputy Speaker: Order. Take your seat, please.

Hon Mr Pilkey: As I indicated, the committee in question may be reconstituted at the minister's wish; it is a committee that is under the purview of the minister. The other committees that were established were broad-based, community-oriented stakeholders, and the basic purpose was to provide input into future policy directions of the ministry so that the grass-roots organizations had a very ample opportunity to have that kind of involvement and not be separated from the bureaucracy, which I think is a totally appropriate way for a consultative government to proceed.

Mr Runciman: When we talk about spins, this minister is really trying to put a spin on this. This committee has been part of this ministry for many years, going back to the Conservative government. It served well under the Conservatives and under the Liberals. The NDP government made a decision to disband this very helpful committee, and it simply didn't deal with policy issues. The ministry staff were very familiar with the existence of this committee, and it made them aware of many things going on within institutions and facilities under the responsibility of this minister.

The minister's response when the committee warned him was, "I have an excellent ministry, and there are all sorts of ways to get information." We now know that this minister has completely bungled his job. He did not know about serious problems in his ministry that he should have known about. He was warned not to abolish an independent complaint system, but he did it anyway. He had no effective system for dealing with the complaints he did hear about. He doesn't even have a clear idea of how these complaints were dealt with.

It's now clear that the fear of complainants that they will not be dealt with fairly by this system is totally justified. As I said earlier, I refrained from calling on the minister to resign because he deserved a full chance to tell his side of the story. He has now done so, and it's clear that he is the one responsible for the mess in his ministry. Will he avoid prolonging the inevitable, do the honourable thing and resign now?

Hon Mr Pilkey: First, I want to ensure that any reference to the committee mentioned by the member opposite was not negative in any particular way. They did serve, they did have a mandate, they completed a report, and I don't want any of my comments to be taken in a negative way with respect to that particular committee.

In terms of the final assertion by the member opposite, it appears to me that the responsible thing to do was to act to correct this problem when the matter was brought to my attention. It is regrettable that it was latterly that it was brought to my attention, but there you have it. That is the fact of the matter; it is the truth of the matter. I will now proceed with the knowledge to resolve the issue in respect to Bell Cairn in the ways I have alluded to, namely, the police investigation, the closure of the centre and the independent investigator who will bring forward recommendations to ensure that this kind of matter is not present in the future.

Mr Runciman: I have a question to the Premier, and later today I will ask him how he can justify keeping this minister in his responsibilities. What I want to talk to him about briefly today is the question I raised in the House last week about a third-party investigation of what I've described as a passive coverup within the ministry.

He initially indicated that they had taken a look at proceeding under the Public Inquiries Act but decided not to because of an ongoing police investigation. I raised concerns about where the police investigation was in respect to the apparent coverup that occurred within the ministry, who was involved and who knew what when. He obfuscated, as he is prone to do, and did not answer the specific question.

Again I ask him about the appropriateness. I'm not sure where this investigation by the cabinet secretary stands in light of the announcement today. Has he reviewed the appropriateness of having the head of a failed system investigate why it failed?

1420

Hon Bob Rae (Premier and Minister of Intergovernmental Affairs): I think it was appropriate for me to ask Mr Barnes to compile some information for me, which

has been done. I also think it's appropriate, and the minister has announced today, that Judge Hansen will conduct an entirely independent review of these issues and of this problem. I think that requires an independent review, and if the member wants me to repeat the problem we have with respect to conducting a police investigation and a public inquiry at the same time, I'll go over that ground with him, but—

Mr Runciman: They're two different issues.

Hon Mr Rae: He says it's two different issues. I can tell him the advice we're getting from all the—

Interjections.

Hon Mr Rae: All right. I've given my answer.

Mr Runciman: Without further elaboration from the Premier, we have to assume that advice is coming from John Piper.

I want to talk about another element of this with you, and that has to do with Ms Palozzi and the fact that this woman, as I indicated earlier, has her professional reputation now in tatters because of your actions, the comments you've made in this House, the comments you've made in scrums, without any explanation in respect to the role she played, no public explanation. You've circled the wagons around this woman, putting her into the cabinet secretary's office. You've effectively silenced her. You've also put a gag order on ministry staff in respect to talking to members of the opposition or talking to the media.

Will you direct Ms Palozzi to come forward, speak to the members of the media, speak to the public? Let's hear her side of the story. What difficulty do you have with that?

Hon Mr Rae: There are some decisions a Premier has to take with respect to dealing with issues, and I want to say to the honourable member as directly as I can that Ms Palozzi remains a member of the public service of the province of Ontario. That's where the matter stands, and she will serve the public in many different ways in years to come. That's certainly our intention.

Mr Runciman: It's another non-answer from the Premier. I want to give him quite a significant parallel, really—and he will recall; I think he was a member then. I'm not sure; I think he was. Certainly some of his colleagues were when there were difficulties—and this was in a Conservative majority government—when there were questions raised about Alan Gordon, the Deputy Minister of Government Services, about the appropriateness of awarding government contracts and whether or not Mr Gordon, as deputy, had violated the Manual of Administration.

You may recall that Mr Gordon was called before the standing committee on public accounts of this House so that there was a full airing of Mr Gordon's viewpoint in this matter. I'm asking you, given the comparable situations in many respects, why you're not prepared to have the deputy come forward and perhaps appear before the standing committee on administration of justice and answer some very important questions about how this government operates at the highest reaches of its civil service.

Hon Mr Rae: I can only tell the honourable member that there's no issue of fact with regard to whether or not the minister was informed by the deputy minister. That is a matter of—

Mr Runciman: Who else did she talk to? You're just furthering the coverup.

Hon Mr Rae: All the facts are coming out, as they should and as they must and as they will, in every way possible. The information is all there.

Let me also say to the honourable member that this is not the first time this kind of problem has taken place within the public service or the public sector. There have been other investigations. There have been other ministers involved at different times with respect to matters. Most of that information never came out until long after it took place. There was an incident even in the ministry of corrections when the member for Timiskaming was the minister of corrections, an investigation that took about a year from the initial complaint with respect to an issue involving sexual harassment.

The person who had information and has information in my view has a responsibility to share that information fully with the minister who is responsible, and I'm satisfied that that in fact did not take place and that this information needed to be shared and it was not.

The second problem, as I said in my answers on Thursday, to be fair, was an overall systemic problem that needed to be dealt with and certainly needed to be more widely shared with the political level. That's the action I've taken.

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Solicitor General and the Minister of Correctional Services. I hope the minister will appreciate that the issue right now is about competence in his capacity to be a minister.

I think everyone in the House realizes how difficult it is for people to come forward and raise these cases that have been raised here. Yet we find now that it went on for virtually a whole year in your ministry. I think it's fair to say that if it wasn't the number one issue within the Ministry of Correctional Services, it had to be among the one or two major issues. It was an issue that was widely circulated within your ministry. Virtually every senior civil servant in your ministry had copies of memos. It was one that people were just crying out needed to be tackled, and you went a whole year without tackling it. It was only when the opposition raised it that you took action. That's why people question your competence in being able to manage the ministry and, frankly, question your competence about being able to solve the problem.

But I'm trying to get at how it could possibly be, unless it's gross incompetence, that you never found out about it. I'll ask you a series of questions. First, did the deputy minister or any other senior staff on your ministry over that period from September 30 until before the member raised it ever raise with you or anyone on your political staff the fact that there was a problem at Bell Cairn?

Hon Mr Pilkey: Quite frankly, I'm offended by many of the comments that are emanating from across this

House. I indicated in the House last week that I had not been made aware of that issue, and there were many members opposite who questioned that I was telling them the truth. In fact I was, and now many of them are acknowledging that.

Second, in terms of management of the particular ministry, the ministry has been administratively and legislatively well managed with respect even to attendance at special events or awards ceremonies. I have done all of that. There are weekly meetings, daily meetings. My availability and the availability of my staff is ever-present. All of these circumstances are in fact the case.

To reiterate, the response to the honourable member opposite to his first question is no.

Mr Phillips: The very point that you're out cutting ribbons when something this significant is going on explains everything. I think he answered my question about the—

Interjection.

The Deputy Speaker: Order. I would ask the member for Oakville South to take his seat. Please repeat your question.

Mr Phillips: I'm not sure I heard the full answer to my first question, but the supplementary is still trying to get at how anyone could miss something that was literally crying out for help and people trying to get their political body to respond. My supplementary is this: Did your ministry hold a weekly management meeting that the deputy and senior people attended? Was this issue ever on that agenda? Were you made aware of the agenda for the weekly management meetings and did you receive minutes of those management meetings? Did you or anyone on your political staff receive those minutes?

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Hon Mr Pilkey: Again the member opposite asked me a very direct question. I gave him a detailed answer in terms of administrative-legislative, attending special events or awards presentations for individuals who merited special attention. I find it interesting, and perhaps it's telling, that of that explanation, the member opposite chooses to characterize all of that as "ribbon-cutting."

With respect to his second question, the availability of myself and that of my political staff who are onsite at the particular location, my policy assistant who attends management meetings etc, none of them were advised of this particular circumstance. As I indicated, once we were seized of it, direct and immediate action was taken in terms of the police investigation, the closure of the centre and the appointment today of Madam Justice Inger Hansen, who will bring forward an independent view and recommendation with respect to the matter.

Mr Runciman: I want to get back to the unfathomable decision of the Minister of Correctional Services to disband the Minister's Advisory Committee on Corrections, a committee that was designed to provide him with an independent assessment of complaints and concerns of ministry employees. The minister indicated during that meeting that they weren't serving a useful purpose. He gave the impression he was knowledgeable about the activities of the ministry and its past activities and contributions.

Can the minister tell us today what proportion of complaints dealt with by this committee were dealt with to the satisfaction of the complainants, what proportion were determined to be unfounded and what proportion remain unresolved?

Hon Mr Pilkey: There was a report generated by the ministry and there was a response by the committee. Many of the matters crossed over in terms of the involvement by both particular parties, and I think that is the circumstance. Matters of concern within the ministry are reviewed on an ongoing basis, and there are always opportunities which we seek for improvement or changes in policy direction within the field of corrections.

Mr Runciman: The sunset review of this committee was conducted by an official within the Ministry of Correctional Services and the minister apparently made the decision based on the recommendations of a bureaucrat within the ministry. He cut a crucial line of communications: third-party, independent observation of what was going on within his ministry. He made a decision and delivered that decision in person. He sat down and said: "You're no longer required. You're not performing a useful service. I'm going to talk to the Ontario Public Service Employees Union and a few other folks and have the deputy minister chair the meeting. That'll be good enough for me." Obviously he made a very dumb decision and one which had tragic consequences for employees within his ministry. As I said earlier—this is paraphrasing the minister—he said, "I have an excellent ministry and I have all sorts of ways of getting information."

Now I don't suggest that the people at that meeting were misinforming me, Mr Minister. Can you explain why you made that response to those members when they warned you about what was going to happen? Where are these magic sources of information that you were supposed to have? Justify your response to them.

Hon Mr Pilkey: Certainly I don't have a verbatim account of the meeting, but it certainly does not sound like the choice of words or the comments that I made to that particular group. With respect to the group, it was an end of a situation. There was in fact a sunset review, and I wanted the input of that particular group on that issue and did meet with the group on certainly more than one occasion.

As I indicated, the more recent initiative was the external consultative committee, which is well attended, very large and comprised of those kinds of exterior contacts that have an absolute interest with respect to the issues of corrections and those around them. For the member opposite to suggest that those representatives from those organizations in some way are in league with the ministry—let me tell him that is far from the case.

Those people have an interest in the future direction of corrections, they have an interest in resolving matters within the corrections ministry, and they certainly have an interest in and were overjoyed at the opportunity of finally somebody asking the grass roots for its view on policy decisions that will affect the future direction and operation of the entire Ministry of Correctional Services.

COMPENSATION TO VICTIMS OF CRIME

Mr Wayne Lessard (Windsor-Walkerville): My question is to the Attorney General, not the Solicitor General. Before I was elected to the Legislature, I practised criminal law in the city of Windsor. I recall that provincial court judges imposed a surcharge on persons who were convicted of Criminal Code offences and narcotics offences, on top of fines that they may have levied. Those surcharges were as high as 15%, or \$35 where no fine had been imposed.

Recently I received a letter from Windsor Police Chief James Adkin on behalf of the victim services unit, asking about those surcharge funds. He said that about \$850,000 has been collected so far. My question is quite simple: What has happened to this money? The chief tells me that it's not going to assist victims of crime.

Hon Howard Hampton (Attorney General): I thank the member for the question, because it is an important one. Essentially he is correct in indicating that the province has received about \$800,000 from the victim surcharge scheme. That money has gone into the general revenue fund of the province. That's essentially correct.

I would like to point out something, however. In fact, the province's funding to victim services far exceeds the \$800,000 which has come from the victim surcharge scheme. In fact, if I may, the province contributes funding to the Criminal Injuries Compensation Board, to the victim/witness assistance program, through the sexual assault and wife assault initiatives and funding to crisis centres and sexual assault centres across the province. The province's contribution to victim services and increased funding to victim services by far exceeds the \$800,000 that was mentioned by the Windsor chief of police.

So yes, the money has been collected, not as much as the federal government at first indicated to us has been collected, but far in excess of the amount that has been collected has indeed been expended on victim services.

Mr Lessard: I just wanted to tell you a little bit about the victim services unit at the Windsor Police Service. They deal with victims of break and enter and sexual assault and the families of murder victims. They provide psychological help and referral services as well. They operate from a cramped little space at Windsor police headquarters. They rely on a coordinator and a clerk and basically no budget.

They do a lot of this with volunteer help, but they know they can do more. They could do more with more volunteers, but they need some extra funding to expand. I wonder whether the Attorney General can provide some assurances that steps are being taken to ensure that the victim services unit at the Windsor police department will receive part of these surcharge funds that I referred to to provide services to the victims of crime and their families.

Hon Mr Hampton: I'm very much aware of the excellent work that is done by the Windsor Police Service in terms of providing support to victims. I should say to the member that there are organizations around the province, some community-based, some funded by municipalities,

some funded by the province, that provide these services. There is a great competition for the funding that is available.

We recognize that more needs to be done in terms of the provision of financial support to victims of crime, and we have put together an advisory committee to determine how best to utilize the victim surcharge fund and also how best to organize funding for victims generally. I should say, however, that the work of that committee has been made more difficult, first of all, because there is such a competition for funding. All governments face that, but it's been made specifically more difficult by the decision of the federal government to withdraw \$3 million of funding from the support of victims generally.

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MINISTRY TRAINING SCHOOL

Mr Ian G. Scott (St George-St David): I have a question for the Premier. The Premier has made plain many times in this House his adherence to the doctrine of ministerial responsibility which, as he has said, is designed to assure that a minister, whether he knows the events or not, is held responsible for what occurs in his department so that the chance of recurrence of those events will be reduced; in other words, ministers resigning when there are allegations of this type is designed precisely to assure that it will not happen again.

The Premier said in 1983 and on other occasions that it's a tough doctrine. It's a tough doctrine, as he pointed out, because sometimes you have to apply it to people who are nice people. It's a tough doctrine. In some respects, it can be a rough master. The Premier went on, "But it is nevertheless the principle of our political and constitutional life which must be respected." He then went on to quote examples of ministers, both in this Legislature and elsewhere, who had taken personal responsibility for mistakes, often unknown to them, made in their ministries.

My question for the Premier is: What has changed? The public wants to know. The former Minister of Consumer and Commercial Relations was fired immediately for appearing fully clothed as the Sunshine Boy. The former Minister of Community and Social Services stepped aside pending a rent review investigation. The former Solicitor General was eventually fired for his constituency office's attempt to fix parking tickets. Yet the current minister, in a serious case like this, is allowed to blame the civil service and carry on as before.

Given his previous support for the principle of ministerial accountability, will the Premier please tell the House and the people of Ontario what his standards really are?

Hon Bob Rae (Premier and Minister of Intergovernmental Affairs): Much of the rhetoric in the question is exaggerated.

Mr Scott: It is not rhetoric. I was quoting you.

Hon Mr Rae: No, this rhetoric about fixing parking tickets and other stuff—

Mr Scott: That is what they attempted to do.

Hon Mr Rae: No, it's really excessive. The member for St George-St David knows better. He has this tendency

to descend to this rhetoric every time he gets to his feet and even when he isn't on his feet.

Let me say directly to him with respect to the issue that when a minister has not been informed, the test surely is, what does he do as soon as he is informed, as soon as he's made aware, as soon as it's brought to public attention, as soon as it's brought to his attention? If I may say so, that test has been applied in just about every instance.

I referred earlier to the member for Timiskaming, who was the Minister of Correctional Services. Nobody in this House stood up and said, "You should resign because of something that took place before you were aware of it." The question is, what do you do as soon as you're aware of it? As soon as you're aware of it, you close the facility, which is what the member has done. You bring in Judge Hansen to make sure that steps are being taken and you set out a very clear rule to say that the minister must be kept fully informed of these kinds of events and this sort of an incident.

I'm not satisfied that at the political level this government was not made aware. To follow the logic of the doctrine which the member for St George-St David is now espousing—

Mrs Elinor Caplan (Oriole): It is your doctrine.

Hon Mr Rae: —not my doctrine—which he never espoused while he was in government, the basic argument should be, if an incident of this kind takes place in any ministry, we should all resign. I know one thing very clearly: That member will never be happy until everybody else except for him resigns. That's the kind of level to which he has now fallen. That's the level he's fallen to.

Mr Scott: The Premier's response in confronting a problem of his own, in his own ministry, of a very severe potential coverup of a gang rape at a public institution is to malign me. His minister's attempt is to malign the honourable member for Leeds who brought it to the minister's attention. The reality is that the issue is not mine; the issue is the Premier's.

The public wants to know. The people of the province are now aware, notwithstanding the speech from the throne and the guidelines, that if you smear a physician and lie about him, you can stay in the cabinet, but if you reveal a patient's name in the Legislature, you have to go. If you breach the rent review act, you go, yet if you break the Premier's conflict-of-interest guidelines, you stay. If your constituency staff try to fix a parking ticket—and that's what they did—you go, but if your staff ignores a sexual assault scandal, you stay. If you appear as a sex object in a newspaper, you go, but if you were unaware of a serious problem of sexual assault which was for almost a year the subject of rumours in the ministry, you stay.

Premier, will you make some sense of it, not for me but because it is your responsibility to tell the public where you stand at the end?

Hon Mr Rae: Where I stand at the end and where I think this government stands at the end is trying to deal with a very difficult situation as soon as we heard of it. As soon as we were made aware of it, we took steps which we hope very much will begin to address what is clearly a

systemic problem in the corrections system. There must be a systemic problem in the corrections system or this kind of problem wouldn't have lasted as long as it did.

I say to the honourable member, that's the issue. The issue isn't someone resigning every day for this or that. That's not the issue in the public's mind. The issue is how is this government going to handle a case of sexual harassment, and possibly if sexual assault, occurring on government property. That's the issue, the allegation occurring against government employees potentially by other government employees. That's the test. That's the difficult issue we've had to address. We've had to address it quickly, we've had to address it sensitively, and if you choose to turn this into some kind of political circus in question period, that's your choice, not ours on this side. It's your choice, the way you're choosing to proceed with this.

Mr Chris Stockwell (Etobicoke West): I don't think the issue is whether or not the Premier decides if someone is turning this into a political circus. The question is gross incompetence and ignorance. That's the problem we're faced with here, Mr Premier. If you're choosing to see this as a political circus, that's your choice.

What the public is seeing is a minister who is so incompetent—this is to the Premier—he literally did not know what was going on in his own ministry. Dozens of senior officials knew. It was the word on the street in this ministry. Everybody knew but the minister, and your defence is, "He didn't know, and when he found out, he acted."

Do you not understand, Mr Premier, that the criterion you're setting up to maintain your position in your cabinet is to lock yourself in the office, disconnect the phones and claim to know nothing? Further, Mr Premier, you've set up a cabinet system based on, "The less you know, the better off you are." That's what you're trying to achieve? Is that the goal this government has been reduced to, "Don't tell me I'll have to take some responsibility"? Answer that.

Hon Mr Rae: I'm not sure if that was a question or an order coming from the member.

Mr Scott: You would do well to answer it none the less.

Hon Mr Rae: I say to the member for St George-St David, if he'll stop heckling for a moment, I'll try to respond as clearly as I can.

I say to the honourable member, the test surely is, what did the minister do as soon as he was informed and as soon as he was made aware? If the member says—

Interjections.

The Deputy Speaker: Order. Premier, do you wish to continue your answer?

1450

Hon Mr Rae: The second thing I would say is about the word you have that this was all out on the street. If it was out on the street, I would have thought there would have been a lot of honourable members who would have known before last Tuesday when this was put forward. The fact that members opposite raise questions as soon as they

hear of them is exactly what I would expect. There is this notion somehow that absolutely everybody in the world knew about this and nobody was asking about. I would say to the honourable member that this minister has responded as effectively as he could as soon as he got the information, as soon as the information was made available to him. This government has responded as soon as the information was made available to us.

I think this is an extraordinarily difficult circumstance. Politics aside, there clearly is a human dimension and a human problem here that we all have to deal with. We all understand that—the political partisanship aside—and that's what we're trying to do. But I would say to the honourable member that surely he would recognize that with respect to dealing with the problem as soon as it became publicly known to us through question period and through our then going back and asking every question we possibly can of the public service, we have attempted to respond.

If I may say so, that is a test that has been applied by governments for a long, long time with respect to trying to get information and as soon as you get that information, to respond as best you possibly can.

Mr Stockwell: It seems to be a test that you've adopted since you have come into power, Mr Premier. It was not a test or practice you operated with when you were in opposition. It was a very different Mr Bob Rae when it came to information to ministers and ministerial responsibilities.

The test the Premier suggests is what he did when he found out. I take exception to that. I don't agree with him. The test that should have taken place is, when this happened once, if it should happen at all, what happened? That's the test. The test is that this shouldn't have happened on a weekly basis, which apparently it did. It should never have happened without this minister knowing. It shouldn't have taken place without this minister being fully informed. I don't think anyone would argue that point, least of all the minister.

Now, if there is ministerial responsibility, Mr Premier, and if you honestly believe the buck stops in the Cabinet Office and the buck stops at the ministerial desk, how can you defend this minister when he suggests, "Nobody told me, and since nobody told me this could be going on for months, I have no responsibility"? He washes his hands of the issue. He says, "When I found out, I acted," and you accept it. My question is, when is the minister going to accept responsibility for the actions in his ministry, whether it's two weeks old, three months old—alleged gang rapes, sexual harassment, wild parties? If this minister is not responsible, who is?

Hon Mr Rae: We are taking responsibility for acting as a government and for taking the steps that need to be taken in responding to a problem. If the member is suggesting that it's now the new rule of the member for Etobicoke West that every time anything happens within a ministry, the minister must immediately resign, and that's the only test of responsibility—

Interjections.

Hon Mr Rae: We're accepting responsibility for taking the action. We're accepting the responsibility for responding as best we can to a very difficult human problem. That's what we're doing. The test the member for Etobicoke West is now establishing is that as soon as anything goes wrong, the entire government must resign. That's the new test he's putting forward. Every problem becomes a resignation problem. I must say that's not a perspective I share in instances and it's not a perspective I share in our trying to deal with a very difficult human issue, which we're trying to respond to.

LANDFILL

Mr Jim Wiseman (Durham West): My question is to the Minister of the Environment. From time to time in the local media, some reporters make comments and statements that lead to some consternation on the part of my constituents. I can recall a couple of weeks ago when the critic from the opposition asked you a question about the bill of rights.

My question today has to do with an article written by Peter Gorrie on July 15 in *The Toronto Star* about the landfill situation. You were quoted in there as saying, and I will read the quote, "And, she said, she still believes that incineration and shipping garbage to other regions are environmentally sound solutions to Metropolitan Toronto's looming garbage crisis."

I think perhaps the reporter should have taken a look at *Wayne's World* and added "not" to the end of that.

Could you perhaps clarify this for my constituents who are a little concerned about the ambiguity of this report.

Hon Ruth A. Grier (Minister of the Environment): Yes, I'm very glad to clarify that. The story the member refers to did indeed leave out the word "not." I'm glad the paper the next day corrected that impression as well.

Let me also use the opportunity to remind the member, who, having served on the committee that looked at Bill 143, is probably aware of this—other members may not be—that the arrangement with Metropolitan Toronto and the region of York to ship their waste to Kirkland Lake dealt with only 1.5 million tonnes of waste of year, so that even if the shipping of waste to northern Ontario were accepted, if it were going to that particular site, there would still be a need for extensive landfilling in the greater Toronto area.

Mr Wiseman: My supplementary has to do with the whole issue of part IV of that act, which has to do with waste reduction. We heard a number of very forceful presentations during those committee hearings from the public, which I think is well in advance of the politicians, especially on the local level, given that the town of Ajax has just curbed its recycling in four apartment buildings. They seem to be farther ahead in terms of their demands on the politicians to have recycling and reduction. I'd like some indication from you. Perhaps you could give us some information about how well this whole process of waste reduction is going, given the part of Bill 143 that deals with that, and that's the fourth part.

Hon Mrs Grier: I'm glad to respond to that and tell the member that in fact the progress with respect to waste

reduction is quite significant. Just this week I was able to say to the region of Halton that we would facilitate with money its search for a centralized composting facility. We're very optimistic that Metropolitan Toronto will get its waste reduction action plan back on track and begin to seek approval within Metropolitan Toronto for both MRFs, which are material recovery facilities, that will separate waste, as well as centralized composting. The region of Durham is also looking at putting in place a waste reduction action plan. The targets that have been accepted by my ministry for a 50% reduction by the year 2000 are targets I believe we can reach within the greater Toronto area.

MINISTRY TRAINING SCHOOL

Mr Murray J. Elston (Bruce): I have a question to the Minister of Correctional Services. We have heard from various locations that the Ministry of Correctional Services has had various difficulties with respect to sexual harassment and other difficulties. In fact, one of your own colleagues in cabinet clearly has information about that in terms of the system at corrections. I want to know from the corrections minister if he was ever briefed in relation to his new responsibilities as the corrections minister and if his political staff were ever briefed in relation to the problems that have been ongoing in the corrections ministry over several years.

Hon Allan Pilkey (Minister of Correctional Services): I'm not sure I understood the first question.

Mr Elston: Were you ever briefed on sexual harassment?

Hon Mr Pilkey: There have been a wide number of initiatives taken within the ministry with respect to sexual harassment. They include, as I say, a wide variety of matters: memos issued to all staff, poster campaigns, insertions of information on the new Ontario public service harassment policy in the pay packets of individuals. We have staff training seminars on a face-to-face basis with members of the ministry, and they are ongoing. There are additional initiatives. There are, I think, somewhere around eight specific initiatives that this ministry has provided with respect to that particular topic. They're all there.

Mr Elston: Someone who knows about all these initiatives either has just found them out or was well briefed on the difficulties in his ministry. I want to know whether the inquiry which has been announced today will have the mandate to proceed to inquire into the ministry procedures and in fact will be able to inquire into the activities carried on by the minister, his parliamentary assistant and his political staff, and whether this inquiry will have the ability to call and swear in witnesses so that it can get the full story.

Hon Mr Pilkey: Madam Justice Inger Hansen will be reviewing this particular matter with respect to Bell Cairn. It indeed does require looking into. She will bring forward a very complete report and recommendations. I'm not aware of whether it would be necessary to call witnesses to this. That perhaps is something that Madam Justice Hansen will consider as to its necessity.

1500

The Deputy Speaker (Mr Gilles E. Morin): The time for oral questions has expired.

Mr Elston: On a point of order, Mr Speaker: I wish to file notice with you at this time that I am dissatisfied with the answer to my question and request further opportunity to join the issue later in the day.

The Deputy Speaker: I am pleased to advise the table accordingly.

Mr Robert W. Runciman (Leeds-Grenville): On a point of order, Mr Speaker: You may not uphold this point, but I want to express concern about a delaying tactic the government entered into this afternoon when the parliamentary assistant to the Minister of Correctional Services got up with a very lengthy question to ensure that the members of the third party did not have an opportunity for another question to the minister, his minister. I think that's totally inappropriate, Mr Speaker.

The Deputy Speaker: The Chair always tries to be as fair as possible, and I think that we've achieved that, to give a chance to everyone to pose his or her questions. The member for York Centre.

TIME ALLOCATION

Mr Gregory S. Sorbara (York Centre): Mr Speaker, I am rising on a very important point of order. I have with me some notes. Regrettably we don't have any pages, but perhaps one of the other officials could distribute copies of these: one to you, sir, one to the table officer, one to the government House leader and one to the House leader for the third party.

I'm going to be speaking today on government notice of motion 13. The gist of my submissions, which will probably, with your indulgence, take about 15 minutes, is to the effect that government notice of motion 13 is out of order and is not properly a time allocation motion. I'm going to be arguing from Beauchesne's Parliamentary Rules and Forms, as well as the precedents that have been set forward in this House, and I'm going to be raising a number of specific questions.

The relief that I'm asking from you, sir, is set out on the final two pages of my document. That is, first of all, a request that you rule government notice of motion 13—I'm sorry; this document says "15" but it should read "13"—out of order; second, that you, in your discretion, suspend consideration of government notice of motion 13 until the issues raised in my submissions to you today have been ruled upon by you.

I would point out to you the first submission that I make in this document, which is as follows. Beauchesne's Parliamentary Rules and Forms submits as follows, in section 533: "Time allocation is a device for planning the use of time during the various stages of consideration of a bill rather than bringing the debate to an immediate conclusion." This is described by Beauchesne as a well-established principle of parliamentary procedure. I am asking you, sir, what provision of our standing orders has the effect of varying this procedure in Ontario, and are there specific decisions

of Speakers of this Legislature that have varied that principle?

That is the seminal question, if I might, in the matter I am raising. If I could just direct your attention to government notice of motion 13, it reads that upon the next calling of Bill 150, which is the bill that we were considering on Thursday night, rather than allowing the debate to continue, the Speaker would be required to—and I'm quoting now—"put the question forthwith on the motion, which question shall be decided without amendment or debate."

Let me just clarify again that government notice of motion 13, while appearing to be a time allocation motion, is in substance a motion that prohibits any further debate whatever on Bill 150, An Act to provide for the Creation and Registration of Labour Sponsored Venture Capital Corporations to Invest in Eligible Ontario Businesses and to make certain other amendments.

In accordance with new standing order 44a, that is, the new time allocation provisions, the notice of motion says that when the order of the day is called for third reading of Bill 150, all debate comes to an end. If this motion were to be considered by this House and passed by this House, you would be required then to prohibit any further debate whatever on third reading and immediately put the question.

I submit to you, sir, that Beauchesne himself has stated that to do that would be in violation of what a time allocation motion is designed to do. I'm suggesting to you, sir, that there are no precedents in this Parliament for a time allocation motion which allocates no time. The motion we are about to consider in this House or that stands on the Orders and Notices would not provide for the allocation of any time whatever. In that respect, it is not a time allocation motion but rather a closure motion.

The second point I would wish you to consider is set out in number 2 of my submissions, and the question is framed as follows: Is a time allocation motion which provides for no further debate at any stage of a bill's consideration an indirect method of achieving closure of the debate for a particular state of consideration of a bill? I would submit to you, sir, that this motion in fact represents a closure motion in a different guise.

I then point out to you, sir, and raise the question in 3 as follows: What is the relationship between a time allocation motion which fails to allocate any further debate and a closure motion under section 45 of the standing orders? You're familiar with section 45 and you realize that under section 45 a member of the government has the ability, when he or she validly has the floor, to put the question, that is, to use the words of the motion, that this question be now put, which brings the debate at least temporarily to a close, and at that point the Speaker has to make a determination as to whether or not there has been sufficient debate. You are required to rule on that and if your ruling is in the positive, then there can be no further debate.

My fourth question, sir, is as follows: Are there any instances under our standing orders where a time allocation motion has been placed before the assembly in which it is provided that no further time be allocated for the consideration of the bill at any particular stage of the legis-

lative process? In other words, have we ever seen a time allocation motion of this sort before? My submission to you, sir, and I've done the research back to 1982, is that in every single instance we have not had a time allocation motion which allocates no further time.

Fifth, my question is as follows, and this is important given this debate was interrupted on Thursday at 6 o'clock when the House was adjourned for the weekend: Where a member has the floor speaking to a bill at any stage of consideration of that bill, can a time allocation motion intervene to prohibit that member from completing his or her remarks?

Frankly, sir, I would like your attention on this.

The Deputy Speaker (Mr Gilles E. Morin): You have my attention. Please, go ahead.

Mr Sorbara: I simply say to you, sir, if you're talking with the Clerk, it's difficult to believe that I have your attention, but I'll take you at your word.

When we recessed this Parliament on Thursday, we were considering Bill 150 and one of the members of the Progressive Conservative Party had the floor. Under our standing orders, that member was allotted 90 minutes in order to deliver his remarks. Obviously the House adjourned at 6 o'clock and the remarks of that member were not completed. I believe it's inappropriate to have a time allocation motion which would intervene to prohibit that member from completing his or her remarks.

1510

I have done research in our standing orders and in the precedents of this House and have found no instance where a time allocation motion interrupted a member in the midst of his or her remarks and would have the effect of prohibiting that member from completing his or her remarks. That's one of the matters I raise in number 6 of my questions: Can a time allocation motion validly abridge the right of a member to speak for the full time permitted him or her under the new standing order once that member has commenced speaking and has not utilized the time permitted him or her to make his or her remarks?

We have standing orders that provide specifically the length of time that a member will speak. If you allow this standing order to stand and be debated and passed in this House, the effect will be to abridge the rights of a member, which rights are already in the process of being acted upon by virtue of the effect the motion will have, and that is, cutting off the member in midspeech, as it were.

Number 7 is as follows: Section 45, that is, the motion for closure, vests in a Speaker a discretion whether or not to require that a question be put forthwith and decided without amendment or debate. This arises where a member validly moves, "That this question be now put." The Speaker is required to consider whether such a motion is an abuse of the standing orders of the House or an infringement of the rights of the minority. A time allocation motion, which provides no further amendment or debate, has the force and effect of section 45. The question I raise with you, sir, is as follows: Does the Speaker acquire a discretion to reject a time allocation motion that would

give rise to the same result as a closure motion under section 45?

Number 8: The time allocation provisions of the standing orders of the House of Commons are similar in substance to the new standing orders respecting time allocation recently adopted by this Legislature. Evidence from the House of Commons staff indicates that a time allocation motion allocating no further time would be out of order in the House of Commons. I ask you, sir: What distinguishes the substance of our time allocation motion from that applying to the House of Commons?

If I might just take you to the precedents that apply to time allocation motions in this House, I go back to December 8, 1982, where the Conservative government put a time allocation motion under Bill 179. That time allocation motion, as in every other motion ever put before this House, allocated some additional time for the consideration of Bill 179. The motion was debated vigorously, and in the end the Speaker ruled that it was valid because it did allocate time.

Then again, sir, on February 15, 1983, a time allocation motion was presented by I believe the Honourable Bette Stephenson for consideration of Bill 127. There again the time allocation motion allocated some time for the consideration of Bill 127, I believe both at further consideration in second reading and through further consideration in the House.

I want to make special reference to the time allocation motion which was presented to this House in respect to the bill on Sunday shopping, Bills 113 and 114, in the month of January 1989. On January 19, 1989, some issues were raised—and this is a very important point, sir—in respect to the time allocation motion to bring to a conclusion the debate on Bills 113 and 114. The questions raised by Mr Rae and other members of the opposition were of such significant significance to the Speaker that he reserved his judgement on those questions for the subsequent day. Then he replied to the House subsequently and made a ruling on the time allocation motion, supporting the time allocation motion but offering authority for his position in the ruling he made.

Similarly, in the time allocation motion affecting Bill 162, An Act to amend the Workers' Compensation Act, when issues were raised about the validity of the time allocation motion, the Speaker, rather than simply ruling on that motion, reserved his judgement and reviewed the authorities and the questions raised by the members in response to the time allocation motion and then reported back to the House.

I submit to you, sir, that this ruling will be very important in the way in which this House conducts its business from now on. If you were to rule today without considering the authorities, let me point out to you the effect your ruling would have.

As you know, the new rules provide that after three days of second reading debate a minister or the government House leader may put a time allocation motion before the House for debate for one full day. That's the substance of the new rule. If you rule in favour of this motion today, you create the possibility that in future, after

three days of second reading debate, a time allocation motion could be put in the name of the government House leader which allowed for no further debate at second reading, no consideration in a standing committee of the Legislature, no consideration by committee of the whole and no debate at all on third reading. Yes, the bill would have to go through those various stages, but if you permit the government House leader the luxury of putting forward a time allocation motion that provides for no further debate on third reading, then you give him the power and the authority to put forward a time allocation motion in future which provides for no further debate at any of the stages that a bill will go through subsequent to the passage of the time allocation motion.

If you were to do that, sir, without reflecting on the authorities and consulting broadly about the precedents of time allocation motions in this House and in the Parliament in Ottawa and in other legislatures, then I say to you that you are not fulfilling your responsibility as Speaker. This is an incredibly serious motion, not because the government does not have the theoretical right, as it did, to put forward a time allocation motion, but this motion is in effect a closure motion because it prohibits any further debate.

You might think it's all right because we have had a great deal of debate on first reading and during previous stages of the bill, second reading and committee consideration. But if you allow that to happen here, you are by implication allowing for debate to be completely terminated on any bill or substantive motion after it has had three days of debate in second reading.

Remember that this motion says that once it is passed and Bill 150 is called again, there shall be no further debate. I remind you once again of what Beauchesne said about time allocation motions. He said, "Time allocation is a device for planning the use of time during the various stages of consideration of a bill rather than bringing a debate to an immediate conclusion." Those are the words that govern the way in which our Parliament and parliaments in Canada are required to conduct their business. In fact, this is such a broad and well-established principle that Beauchesne doesn't even refer to a specific ruling but establishes that this is a well-established principle of parliamentary democracy both in Canada and elsewhere in parliaments that are similar to our own.

I want to speak for a moment about the submissions I make to you. First of all, I think it's absolutely essential that you consider this matter rather than rule on the matter. I grant that you may have advice from the Clerk that this answer is easily questioned, but the Clerk is not the Speaker of the House. You are the Speaker of the House, and this is an extremely serious issue. I am not asking you to defer your judgement for weeks and months; I am asking you to defer your decision until you have had time to reflect on the submissions we make. I'm perfectly agreeable to submitting to you, sir, the judgements of previous Speakers on time allocation motions for your consideration.

1520

The damage that will be done if you rule immediately and in favour of the motion is long-term and will apply to

every single bill subsequently considered by this House, so I'm asking you, at the very minimum, to consider the arguments I've made here today, to consider the arguments that will be made by the House leader for the third party, the Progressive Conservative Party, and obviously to consider the arguments that will be made by the government House leader.

I know the government House leader urgently wants to call this motion today and have it debated for the balance of the day in this Parliament. Nothing will be lost if you prohibit him from doing that for one day so that you can reflect on the matters being raised before you.

Once again, I appreciate that the Clerk may have a view, but we have views as well, sir, and I remind you that if you, in your role as Deputy Speaker, simply make a ruling on this, you are going to give the government the authority, by the implication of your ruling, to cut off debate, finally and completely, on every single bill that comes before this House after it has had three days of second reading debate.

The implication of putting forward a time allocation motion that says, "There shall be no further time allocated," if approved here on a bill for third reading, is that it is available on second reading, is available when a bill goes to committee of the whole and is available on every other stage of a bill. There is nothing in our standing orders that says there has to be a reasonable amount of debate at a particular stage before the time allocation motion is brought forward. The only thing our standing orders say is that there has to be three days of second reading debate.

This is the most serious assault on our right to debate legislation ever presented in this House, and I urge you, sir, I plead with you, to reflect on this issue, to sleep on this issue, to read the precedents of the House, to examine those cases, all of them, available to you from your research staff or research that we can provide you; and that research indicates there has never been a time allocation motion presented in this House which allocated no further time.

I believe that if the government House leader had allowed the member of the third party who had the floor when this debate was adjourned on Thursday to complete that speech and allocate perhaps one more speaker, then he would have complied with the technical requirements for a time allocation motion. I believe that if he had allowed for 15 minutes or a half-hour or one more sessional day, he would have complied with the technicalities of a time allocation motion. But having gone the full length and placed in his time allocation motion a provision that there will be no further debate, is in substance a closure motion. I submit to you that he does not have the power to bring forward closure under the time allocation provisions where there is a specific motion for closure in our standing orders, namely, section 45.

In every instance where a member has set forward a series of questions to be answered by the Speaker, the Speaker has reflected on those questions and ruled on those questions before making a judgement. It's incumbent upon you, sir, to suspend and postpone any consideration

of government notice of motion 13 until you have answered the questions that I have raised here with you today.

Mr Ernie L. Eves (Parry Sound): I would like to take this opportunity to speak on the same point of order raised by the member for York Centre. Quite frankly, as you know, I'd given you advance notice that I'd be making a similar point myself if he or somebody else did not.

I think, first of all, that the point the member for York Centre makes with respect to your ruling is most appropriate. This will be a landmark ruling, if you don't mind my saying so, Mr Speaker, with respect to the new rules that the government has brought in, and I think it's very appropriate that you take the time to make sure in your own mind that you are absolutely certain that this government notice of motion 13 is in fact in order before you allow the notice of motion to be called and proceeded with.

I couldn't agree more with the member for York Centre that in effect what the government House leader is trying to do is that he's trying to do indirectly what he can't do directly. Under standing order 45, he can very directly move closure if that's what he wants to do, and in fact that's exactly what this motion does. This is not, I submit to you, a time allocation at all, because—very simply put, without any great, reasoned argument—it provides for no allocation of time; there is no time provided for in the time allocation motion. What he's trying to do is cut off debate at this point, end it and have a vote immediately. There's a procedure for that in this place. It's called a closure motion. It is under standing order 45, and that's what the government House leader should be using. The reason he isn't using it, very bluntly, is that there's only been one speaker for the official opposition on this third reading debate—not even a full speaker on our party's behalf.

The member for Carleton I believe had the floor and still had time left, as the member for York Centre has pointed out, and the government House leader knows very well that the Speaker, at his or her discretion, would not permit closure to be invoked after one and a half or one and three quarters speakers. Therefore, he's trying to do indirectly what he knows he cannot achieve directly. I think it's very important that you take that into account with respect to your ruling here today on government notice of motion 13.

I'd also like to point out standing order 1(a) in our rules, which says, "The proceedings in the Legislative Assembly of Ontario and in all committees of the assembly shall be conducted according to the following standing orders." I firmly believe that government notice of motion 13 does not conform to our standing orders as recently amended. I believe it is a breach of the standing orders, which are for all members of this place and not just for the government.

Erskine May says on page 1, "The purpose of many of the rules is to safeguard the rights of a minority of the House: to guard against the development of an 'elective dictatorship' which some have predicted.... Above all, the balance between the right of governments to obtain their business and the right of the House as a whole to examine

it...is maintained through the discretionary powers given to the Speaker."

I can presume why the government House leader has introduced this motion with respect to cutting off debate, because as I've said: (a) he knows he can't get closure under standing order 45 at this particular point in time; (b) he knows he's getting some political heat and the Premier and his government want to get out of this place as quickly as they can because they don't like question periods such as the one that prevailed this afternoon and in the latter stages of last week. I think it's important that the people out there know the lay of the land and know what's going on behind this government notice of motion 13. That, in fact, is the political reality as to what is happening and why the government House leader is now introducing this motion.

This is a bill that the government says is very important, that it says it has to have: Bill 150. Let me tell you a little bit about the legislative history of Bill 150 in this place, because I think it's always interesting that we understand the sense of urgency that governments place on such things.

"When did this bill first receive first reading?" I asked myself. It first received first reading on November 6, 1991. Here we are on July 20, 1992. Second reading debate was for two days, December 16 and 17, 1991. The bill was passed on second reading on December 18, 1991, and it went to committee for five days. Now we have a bill that the government says is so significant that it can't leave this place this summer, some four and a half or five weeks later than we're normally here, saying, "The bill is so important; I introduced it about nine months ago; I have to have this bill before I leave."

There was only two days of second reading debate on this piece of legislation, and now, after not even two speakers on third reading debate, we have the government House leader saying: "I need this bill and I need it right now, and there can't be any further debate. I know I'd never get a closure motion through, so under the guise of a time allocation motion I'm going to provide a motion that provides for no allocation of time whatsoever. I'm going to get this thing passed and out of here so I can go home, like my Premier wants me to, so Mr Pilkey doesn't have to come to question period every day." That's what this is all about, just so there's no mistake by the public at large out there.

Also, just so there's no mistake, in my humble opinion and that of the member for York Centre—and I presume several other members and perhaps even the government House leader himself if he was brutally honest about this—this is not a time allocation motion at all because it provides for no allocation of time, not one single minute, not one second. How can a time allocation motion be for allocation of time when none is provided? You can call an elephant an orange, but that doesn't make it one. An orange is an orange, and an elephant is an elephant, regardless of what you call them. This is a closure motion as sure as I'm standing here. The government House leader knows he can't get a closure motion through at this point in time, and

he's been ordered to get this business of the House done so he can leave.

1530

I also think it's very important, Mr Speaker, that in your deliberations you take into account not a particular standing order, in this case 44a, all by itself but that you take into account the other rules of the Legislature that go with it, like standing order 45 that I've already alluded to, because in fact you know and I know that what the government House leader is trying to do here is to cut off debate abruptly at this point in time and have an immediate vote on the matter. That is called a guillotine or a closure motion, and there's provision to do it, but he knows he can't get it, so he's not doing it that way. He's going to try to come in through the back door and do it by another means, hoping you buy his argument.

This is very important with respect to the other rule changes that have just been adopted in this place. It's very important to the intent and the spirit in which these negotiations and discussions with respect to rule changes went on, because when we were talking about these new rule changes, the House leader for the Liberal Party and myself asked the government House leader why he wanted these rule changes and what he intended to do with them. In the debate with respect to the rule changes, he said: "Oh, I would hardly ever introduce this. I'd only introduce it maybe two or three times a session at most, and I'd only do it for really significant pieces of legislation."

There have only been two bills called, and he has introduced it on both of them. I wouldn't consider this to be one of the most significant pieces of legislation that a government will ever pass. They introduced it on November 6, 1991, and now they're getting around to talking about it on July 20, 1992. That's how significant it is in their minds, which I would suggest is not too significant at all.

If this place is going to work, there has to be some respect and agreement among all three parties. To cut off the member for Carleton when his time wasn't even finished and introduce such a closure motion is absolutely ludicrous. It is very important that you consider all this in its proper context before ruling on whether government notice of motion 13 is in order or isn't in order.

I couldn't agree with the member for York Centre more. I don't believe there's a precedent in this Legislature that provides for a time allocation motion that has no provision of time in it whatsoever. The House of Commons in Ottawa has three ways it can introduce time allocation motions, and they're outlined in standing order 78. It's very interesting to note that in standing order 78(1) and (2) in Ottawa both of the first two ways provide for cooperation and consent and agreement among the parties sitting in the House of Commons. Only under 78(3) can the government in Ottawa proceed unilaterally with respect to a time allocation motion—which is what is happening here; the government is trying to proceed unilaterally—and then there has to be at least one day on any stage of a bill before our government can proceed unilaterally.

When you are talking about this very significant interpretation of the standing orders as recently amended in this place, I want you to take into account how the rights of the

minority in this place may be usurped by this government, or future governments for that matter, by really invoking closure under the guise of a time allocation motion that provides for no time whatsoever.

In my humble opinion, and hindsight's always great, what the government House leader should have done if he wanted to proceed by way of a time allocation motion was to introduce a motion that provided for one further sessional day of debate on third reading of Bill 150. That would have been very much in order. But he didn't do that because he didn't want any further debate, not one second more. He even wants to cut off the member for Carleton from concluding his remarks. That is most inappropriate. I suggest to you it's not in order. I suggest to you that government notice of motion 13 is not a proper time allocation motion at all. It's operating under the guise of time allocation when in effect it is in reality a closure motion.

I ask you, Mr Speaker, to be absolutely certain in your own mind that it is in order, and if there is one scintilla of doubt in your mind, I request of you very respectfully that you postpone the consideration of government notice of motion 13 here this afternoon and that you take all these circumstances into account before arriving at your decision.

Hon David S. Cooke (Government House Leader): I will be very brief. The section of the new rules that provides for time allocation clearly provides for the ability for the Legislature to put time allocation at any stage of the bill. The fact of the matter is that we've had second reading debate on this legislation, we've had committee hearings on this legislation and we've had clause-by-clause on this legislation. Then we started third reading of the legislation last Thursday and had a whole day on third reading of this bill. Time allocation clearly would apply to only the final stage of the legislation because that's the only stage that is left.

The reason, Mr Speaker, that time allocation is clearly necessary in this case is that—you have been here long enough to know—the tradition in this place, if one wants to raise a valid point of order, has clearly been for many years that third reading is a very short debate, a very focused debate. What has happened is that now it has become the norm in this place for the opposition to debate at length on third reading as well.

We had a 90-minute speech by one of the members of the opposition on Friday. If they wanted to get their final words in on third reading, as has been the tradition around this place, instead of delaying—and that's obviously the goal around here—then there would have been a more fair way of dealing with third reading of the bill, but the goal around here is to delay, delay, delay, delay.

I didn't want to bring in time allocation on this piece of legislation. It would have been preferable to sit down at a House leaders' meeting and be able to discuss how this bill should be handled, but that seemed to be quite impossible. So the time allocation motion is there. It provides for bringing in the allocation of time at any stage of the bill. This is third reading, and that's exactly what this motion deals with.

Mr Speaker, I don't believe it would be appropriate for you to delay your decision on this matter, because that,

again, would do exactly what the official opposition in particular wants you to do: to delay and delay further. It's clear that this motion is in order. It was tabled on time last Thursday before 5 o'clock. It was circulated to the opposition parties. It is now here to be debated and decided upon by the members of the Legislature. That's what this is all about: the members of the Legislature deciding.

The rules and procedures in this place should respect the opposition and its ability to oppose and should also respect the ability of the government to govern. It's a balancing act that you have to play, but not allowing this decision to be decided today by the members, which is entirely what the rule calls for, I think would be an abuse of the government. It's in order; it was tabled on time; it was circulated. It's now up to the members to debate and decide, and that's what the government's prepared to do.

1540

Mr Murray J. Elston (Bruce): I wish first, in making comments on this point of order, to thank my colleague the member for York Centre, who has done an extremely good job of laying out the series of issues to be discussed but, Mr Speaker, I might draw your attention as well at this time to some other aspects of this particular motion.

If this were a time allocation motion, and you understand standing order 44a as having been one of the new rules to come in, you would also understand that it was accompanied by several other pieces of new legislation for standing orders around here, which included the fact that the beginning speakers from each of the parties under time allocation, in fact under each of the stages of the bills, were allotted a full 90 minutes to make their remarks, which, when you come to consider this issue, means there is an anticipation that the very maximum for the opening speeches would be 90 minutes and that there would be an expectation that each leadoff speaker would go for as long as he or she determined to go. After that, the rules of this House prescribe that a member may have up to 30 minutes to speak. If there was to be any justice in putting that provision in the standing orders, then it would mean that more than just the leadoff speakers would be contemplated to be able to speak at each stage.

Mr Speaker, when you look at this rule 44a, as well, you will see that it contemplates, as my colleague the member for York Centre and my friend the member for Parry Sound have indicated well, that there is a sense that there would be an allocation of time after the motion is determined. In this situation, there is no such time. If 44a were to be used to bring a vote to the House immediately, then we would not have allowed any other rules to have been brought forward which had indicated clearly that there cannot be a 44a motion unless there are three days of debate on second reading and unless there have been other provisions for members to speak.

I agree fully with what the member for Parry Sound has clearly indicated, and that is that the member for Windsor-Riverside has determined that he will go about his business by excluding not only the opposition from making their points, but in fact excluding the Chair from exercising the age-old authority of the Chair, which is to

protect the minority in this House and rule upon when the use of the closure motion, which would have come under standing order 45, is an abuse of process.

Mr Speaker, you cannot in my view allow this 44a motion to stand as being in order at this time. If you conclude that, it is my view that this is a standing order motion that is not perfectible merely by moving an amendment to it, that the order has to be withdrawn or withdrawn at your instigation and that any other standing order motion under 44a would be a new one that would have to be duly tabled and, as a result, the opposition would have to receive notice of it.

In its place, the member for Windsor-Riverside, as government House leader, can have access to standing order 45. If it is his will that he wishes the vote to be taken immediately, if he wants closure, which is what the motion currently in front of us speaks to, then he can use standing order 45. But in that instance, he will then have to rely upon the fact that the Chair would rule that there has been enough debate. It is my view and the view of a lot of people here that there has been hardly any debate. I thank my friend from Parry Sound for bringing forward to us the fact that there were only two days of second reading debate on Bill 150, five days of committee and now but one day of third reading. That is not very much time.

It is and has always been the role of the Speaker to protect the minority and to allow the minority to speak out. It is now, Mr Speaker, your unenviable position to have to make a determination on 44a, but if it is your determination that it does not stand, then the motion must fall altogether. Then we in the opposition will have to be aware that the member for Windsor-Riverside, on the instructions from his Premier, Bob Rae, will cut all of the debate off. That's what all the issue around this place has been over the last several weeks, about Bob Rae and David Cooke cutting off all debate at all times so they don't have to put up with the irritation of somebody who disagrees with them.

Seeing that this now is fully brought into focus by this very precipitous motion delivered by the member for Windsor-Riverside, I think it is incumbent upon you to make an acknowledgement of that set of factual information and read into this motion 13 exactly what is at play in the government's mind.

Mr Speaker, with that I thank you and my other colleagues for intervening on this very important issue, but I leave with just one word: If it looks like closure, if it reads like closure, then it is closure, and it must as a result be brought under standing order 45, not under new standing order 44a.

Mr Norman W. Sterling (Carleton): I want to try to be as brief as possible, but I was the member who was cut off in midsentence. Actually I guess literally the government pulled the plug on me with regard to my remarks last Thursday afternoon.

The fact of the matter is, the critic for the Ministry of Revenue for the Liberal opposition party had an hour and a half to speak and he took that time up, which he was entitled to. As a result, after question and answer provided in our standing orders, it left me with approximately 15

minutes before I was required to sit down because we had run out of time on Thursday afternoon.

I want to say that under a lot of circumstances, third reading wouldn't require a great deal of debate in this Legislature, but two things make it very, very important that members in this Legislature be given an ample opportunity to express their opinion on third reading.

The first one is that I hold in my hand the amendments to Bill 150 during the committee process. This bill, Bill 150, contains 51 sections. I hold in my hand 49 amendments to 51 sections. If one can argue that Bill 150 is the very same bill or principally the same bill as it was when it left this House on second reading, then you might have some substance behind the argument that members in this Legislature do not need a great deal of time on third reading. My argument is that as a result of these amendments, we do require time to talk about those changes in the legislative chamber.

Interestingly enough as well, during the committee hearings there was only one day of hearings on the clause-by-clause consideration of the bill, and I think you should know that, Mr Speaker.

I think as well those who had attended the public hearings, the other four or five days which we spent in committee, will attest to the fact that very few members of the public were in favour of this bill, and surprisingly enough, that not only included those who might represent the business or the investment side but it also represented the labour union side, which this bill was intended to enhance or benefit.

Therefore, on third reading, Mr Phillips, who represents the Liberals with regard to the Ministry of Revenue, has already expressed some dismay with regard to that input. But I think it's only fair to members of that committee and members of this Legislative Assembly that they talk in some detail about the submissions that were made in a negative sense about Bill 150, even as it is amended.

Last, I would like to talk about urgency, the urgency of this government to have this legislation passed. As my House leader indicated, on December 18 this bill received second reading and was sent out for committee hearings during the winter break. The committee on which I sit, the committee dealing with this matter, was to hear these hearings beginning on February 23 or February 24, in and about that time.

Three or four days before the committee was ready to hear input from the public, and the witnesses had been lined up, the Minister of Revenue called off the hearings unilaterally, a procedure which I objected to at the time, but basically said that the ministry was not ready to go ahead with hearings at that time because it had significant amendments to the bill. Their argument at that time was that they didn't want the public to come forward to talk about Bill 150 as it had been passed on December 18 in this Legislature but they wanted the public to react to a different document after the 49 amendments had been introduced.

1550

The opposition was ready to go ahead in the latter part of February to consider Bill 150. The government wasn't

ready to go ahead with Bill 150 in February in terms of the hearings. We could have had this bill back in the Legislature in the first week this Legislature began sitting in April. We could have been considering this in April. We could have been considering this in May. We could have been considering this in June. But because the government wasn't ready with its amendments till the latter part of April, and we had public hearings during the month of May, it is the government which has stalled the progress of this bill; it is not the opposition.

Now the government wants to close off the opposition with its one chance to remark on the significant changes which it has made to the bill and to stop our response and our reaction to this bill. Mr Speaker, if there is any opportunity for you to strike down this motion and give myself, along with other members, an opportunity to comment and respond to the government's tardiness with regard to Bill 150, I think we deserve it. I believe my privileges and responsibilities are being usurped by this motion. I am the Treasury critic, I am the Revenue critic for this party. I believe, quite frankly, that Bill 150 should not be passed and I demand the time to make that case before this Legislative Assembly.

The Deputy Speaker: Is this on the same point of order, the member for St Catharines? I believe I've heard enough.

Mr James J. Bradley (St Catharines): I thought when I got up you'd probably say that.

The Deputy Speaker: I've heard enough evidence. It is the role of the Speaker to be fair, to be just and to make sure all points of view are listened to. You're asking me in reality to give you a ruling on 44a. I cannot do this immediately. I have to reflect on the whole issue. I would ask your indulgence. I would ask you to give me time so that I can come back tomorrow and give you a full ruling so that there is no longer interpretation on that section.

PETITIONS

STANDING ORDERS REFORM

Mr Murray J. Elston (Bruce): "To the Legislative Assembly of Ontario:

"Whereas Premier Rae of the province of Ontario has forced upon the Ontario Legislature a change in the rules governing the procedures to be followed in the House; and

"Whereas Premier Rae has removed from members of the opposition the ability to properly debate and discuss legislation and policy in the Legislature by limiting the time a member may speak to only 30 minutes; and

"Whereas Premier Rae, who once defended the democratic rights of the opposition and utilized the former rules to full advantage in his former capacity as leader of the official opposition, has now empowered his ministers to determine unilaterally the amount of time to be allocated to debate bills they initiate; and

"Whereas Premier Rae has reduced the number of days that the Legislative Assembly will be in session, thereby ensuring fewer question periods and less access for the news media to provincial cabinet ministers; and

"Whereas Premier Rae has diminished the role of the neutral, elected Speaker by removing from that person the power to determine the question of whether a debate has been sufficient on any matters before the House; and

"Whereas Premier Rae has concentrated power in the Office of the Premier and severely diminished the role of elected members of the Legislative Assembly, who are accountable to the people who elect them;

"We, the undersigned, call upon Premier Rae to withdraw the rule changes imposed upon the Legislature by his majority government and restore the rules and procedures in effect previous to June 22, 1992."

Mr Speaker, I attach my signature to this petition.

MUNICIPAL BOUNDARIES

Mrs Irene Mathysen (Middlesex): I have a petition signed by 62 citizens of the town of Westminster in the county of Middlesex who petition the Legislative Assembly to set aside the arbitrator's report in regard to the greater London area because these constituents believe it does not reflect the expressed wishes of the majority who participated in the arbitration hearings, it awards too extensive an annexation to the city of London and will jeopardize the viability of the county of Middlesex and its rural way of life.

I've signed my name to this petition.

STANDING ORDERS REFORM

Mrs Elinor Caplan (Orillia): To the Legislative Assembly of Ontario:

"Whereas Premier Rae of the province of Ontario has forced upon the Ontario Legislature a change in the rules governing the procedures to be followed in the House; and

"Whereas Premier Rae has removed from members of the opposition the ability to properly debate and discuss legislation and policy in the Legislature by limiting the length of time a member may speak to only 30 minutes; and

"Whereas Premier Rae, who once defended the democratic rights of the opposition and utilized the former rules to full advantage in his former capacity as leader of the official opposition, has now empowered his ministers to determine unilaterally the amount of time to be allocated to debate bills they initiate; and

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"Whereas Premier Rae has concentrated power in the Office of the Premier and severely diminished the role of elected members of the Legislative Assembly, who are accountable to the people who elect them,

"We, the undersigned, call upon Premier Rae to withdraw the rules changes imposed upon the Legislature by his majority government and restore the rules of procedure in effect previous to June 22, 1992."

I add my name to this petition.

Mr James J. Bradley (St Catharines): This is to the Legislative Assembly of Ontario:

"Whereas Premier Rae of the province of Ontario has forced upon the Ontario Legislature a change in the rules governing the procedures to be followed in the House; and

"Whereas Premier Rae has removed from members of the opposition the ability to properly debate and discuss legislation and policy in the Legislature by limiting the length of time a member may speak to only 30 minutes; and

"Whereas Premier Rae, who once defended the democratic rights of the opposition and utilized the former rules to full advantage in his former capacity as leader of the official opposition, has now empowered his ministers to determine unilaterally the amount of time to be allocated to debate bills they initiate; and

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"Whereas Premier Rae has concentrated power in the Office of the Premier and severely diminished the role of elected members of the Legislative Assembly, who are accountable to the people who elect them,

"We, the undersigned, call upon Premier Rae to withdraw the rules changes imposed upon the Legislature by his majority government and restore the rules of procedure in effect previous to June 22, 1992."

I am pleased to add my name and to affix my signature to this particular petition, which is one of many that have flowed in over the past couple of weeks.

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Mr Michael A. Brown (Algoma-Manitoulin): I have a petition to the Legislative Assembly of Ontario:

"Whereas Premier Rae of the province of Ontario has forced upon the Ontario Legislature a change in the rules governing the procedures to be followed in the House; and

"Whereas Premier Rae has removed from members of the opposition the ability to properly debate and discuss legislation and policy in the Legislature by limiting the length of time a member may speak to only 30 minutes; and

"Whereas Premier Rae, who once defended the democratic rights of the opposition and utilized the former rules to full advantage in his former capacity as leader of the official opposition, has now empowered his ministers to determine unilaterally the amount of time to be allocated to debate bills they initiate; and

"Whereas Premier Rae has reduced the number of days that the Legislative Assembly will be in session, thereby ensuring fewer question periods and less access for the news media to provincial cabinet ministers; and

"Whereas Premier Rae has diminished the role of the neutral, elected Speaker by removing from that person the

power to determine the question of whether a debate has been sufficient on any matter before the House; and

"Whereas Premier Rae has concentrated power in the Office of the Premier and severely diminished the role of elected members of the Legislative Assembly, who are accountable to the people who elect them,

"We, the undersigned, call upon Premier Rae to withdraw the rule changes imposed upon the Legislature by his majority government and restore the rules of procedure in effect previous to June 22, 1992."

I will affix my signature to the petition.

Mr Gerry Phillips (Scarborough-Agincourt): "To the Legislative Assembly of Ontario:

"Whereas Premier Rae of the province of Ontario has forced upon the Ontario Legislature a change in the rules governing the procedures to be followed in the House; and

"Whereas Premier Rae has removed from members of the opposition the ability to properly debate and discuss legislation and policy in the Legislature by limiting the length of time a member may speak to only 30 minutes; and

"Whereas Premier Rae, who once defended the democratic rights of the opposition and at that time utilized the former rules to take full advantage in his former capacity as leader of the official opposition, has now empowered his ministers to determine unilaterally the amount of time to be allocated to debate the bills they initiate; and

"Whereas Premier Rae has reduced the number of days that the Legislative Assembly will be in session, thereby ensuring fewer question periods and less access for the news media to provincial cabinet ministers; and

"Whereas Premier Rae has diminished the role of the neutral, elected Speaker by removing from that person the power to determine the question of whether a debate has been sufficient on any matter before the House; and

"Whereas Premier Rae has concentrated power in the Office of the Premier and severely diminished the role of elected members of the Legislative Assembly, who are accountable to the people who elect them,

"We, the undersigned, call upon Premier Rae to withdraw the rule changes imposed upon the Legislature by his majority government and restore the rules of procedure in effect previous to June 22, 1992."

It is my intention to also affix my signature to this petition.

Mr David Ramsay (Timiskaming): "To The Legislative Assembly:

"Whereas Premier Rae of the province of Ontario has forced upon the Ontario Legislature a change in the rules governing the procedures to be followed in the House; and

"Whereas Premier Rae has removed from members of the opposition the ability to properly debate and discuss legislation and policy in the Legislature by limiting the length of time a member may speak to only 30 minutes; and

"Whereas Premier Rae, who once defended the democratic rights of the opposition and utilized the former rules to full advantage in his former capacity as leader of the official opposition, has now empowered his ministers to

determine unilaterally the amount of time to be allocated to debate bills they initiate; and

"Whereas Premier Rae has reduced the number of days that the Legislative Assembly will be in session, thereby ensuring fewer question periods and less access for the news media to provincial cabinet members; and

"Whereas Premier Rae has diminished the role of the neutral, elected Speaker by removing from that person the power to determine the question of whether a debate has been sufficient on any matter before the House; and

"Whereas Premier Rae has concentrated power in the Office of the Premier and severely diminished the role of elected members of the Legislative Assembly, who are accountable to the people who elect them,

"We, the undersigned, call upon Premier Rae to withdraw the rule changes imposed upon the Legislature by his majority government and restore the rules of procedure in effect previous to June 22, 1992."

I have affixed my signature to this petition.

MUNICIPAL BOUNDARIES

Mr Ron Eddy (Brant-Haldimand): I have a petition to the Legislature of Ontario:

"Whereas the report of Mr John Brant, arbitrator for the greater London area, has recommended a massive, unwarranted and unprecedented annexation by the city of London;

"Whereas the arbitration process was a patently undemocratic process resulting in recommendations which blatantly disregarded the public input expressed during the public hearings;

"Whereas the implementation of the arbitrator's report will lead to a destruction of the way of life enjoyed by the current residents of the county of Middlesex and will result in the remnant portions of Middlesex potentially not being economically viable,

"We, the undersigned, petition the Legislature of Ontario as follows:

"That the Legislature of Ontario reject the arbitrator's report for the greater London area in its entirety, condemn the arbitration process to resolve municipal boundary issues as being patently an undemocratic process and reject the recommendation of a massive annexation of land by the city of London."

There are 55 signatures, and I've added mine to the petition.

STANDING ORDERS REFORM

Mr Michael A. Brown (Algoma-Manitoulin): I have a petition.

"To the Legislative Assembly of Ontario:

"Whereas Premier Rae of the province of Ontario has forced upon the Ontario Legislature a change in the rules governing the procedures to be followed in the House; and

"Whereas Premier Rae has removed from members of the opposition the ability to properly debate and discuss legislation and policy in the Legislature by limiting the length of time a member may speak to only 30 minutes; and

"Whereas Premier Rae, who once defended the democratic rights of the opposition and utilized the former rules to full advantage in his former capacity as leader of the official opposition, has now empowered his ministers to determine unilaterally the amount of time to be allocated to debate bills they initiate; and

"Whereas Premier Rae has reduced the number of days that the Legislative Assembly will be in session, thereby ensuring fewer question periods and less access for the news media to provincial cabinet ministers; and

"Whereas Premier Rae has diminished the role of the neutral, elected Speaker by removing from that person the power to determine the question of whether a debate has been sufficient on any matter before the House; and

"Whereas Premier Rae has concentrated power in the Office of the Premier and severely diminished the role of elected members of the Legislative Assembly, who are accountable to the people who elect them;

"We, the undersigned, call upon Premier Rae to withdraw the rule changes imposed upon the Legislature by his majority government and restore the rules of procedure in effect previous to June 22, 1992."

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ORDERS OF THE DAY

LONDON-MIDDLESEX ACT, 1992

LOI DE 1992 SUR LONDON ET MIDDLESEX

Mr Cooke moved second reading of Bill 75, An Act respecting Annexations to the City of London and to certain municipalities in the County of Middlesex / Loi concernant les annexations faites à la cité de London et à certaines municipalités du comté de Middlesex.

Mr Murray J. Elston (Bruce): On a point of order, Mr Speaker: I want to make it very clear indeed, because there have been certain allegations made in regard to this bill not being allowed to come to the floor by the Liberal Party, that although it has been introduced too late in the session to receive second reading in the extended sitting as prescribed by the rules of this Legislature, the Liberal Party is consenting to this bill coming on for second reading debate.

The Acting Speaker (Mr Noble Villeneuve): It's not a point of order; it is a point of information.

Mr Elston: On the point of order, Mr Speaker: We could have stood and prevented it from coming. Both the Conservative opposition and the Liberal opposition have consented to this coming forward. I want to make it quite clear that we are both here as opposition parties to get the business done.

The Acting Speaker: You have made your point, sir. The Minister of Municipal Affairs had some opening remarks?

Hon David S. Cooke (Minister of Municipal Affairs): It's interesting. The House leader for the official opposition made a valid point that under the new rules we now have in the Legislature, no longer will governments be able to bring legislation forward, if the session is extended, in the last eight days. It's good to hear that there's at least one part of the new rules negotiated between the three

parties that the House leader for the official opposition party agrees to. To give him credit, this was a section of the rules that he and the House leader for the third party suggested.

I want to spend a few minutes talking about the bill we've now called forward, the annexation bill for London and Middlesex. I want first of all to indicate that in the Ministry of Municipal Affairs I don't think there's any type of legislation, any type of initiative that is more difficult to have to deal with than boundary disputes that exist in various areas of the province. This particular one is much larger, much more difficult than most, but all of them, I must say, are extremely difficult.

I want to make it very clear to the members of the House and to municipalities across the province that this is a very unique situation in the province. There is no other county and no other city, no other area in the province that has the same difficulties and the same divisions of population that this area has. There are approximately 302,000 people living in the city of London and around 60,000 in the county. That made the options available to the government very difficult indeed.

I should point out that this issue first started being discussed in the London-Middlesex area 11 years ago. That's when the issue first came up. The issue was not resolved at the local level. There were opportunities through the informal discussions that took place when the issue was first raised 11 years ago. Then, when the Municipal Boundary Negotiations Act kicked in, I believe in 1988, there were certainly provisions under the legislation to go through to see if this matter could be resolved at the local level. It was impossible to settle at the negotiating table at the local level. There were lots of discussions and there was lots of urging from the previous government as well.

I should point out that the former Minister of Municipal Affairs, Mr Sweeney, worked very extensively on this issue as well and had the same difficulty I had, that nobody would settle the issue at the local bargaining table. The province appointed a chief negotiator and that appointment was done—

Mrs Elinor Caplan (Oriole): What about Irene's solution?

Hon Mr Cooke: No, the chief negotiator was appointed by Mr Sweeney, and that is provided for under the boundaries legislation. There was a report that came to me not long after I became Minister of Municipal Affairs. My suggestion, when that report came to me, was, "No, I want the whole matter sent back to the local municipalities and I want them to get back to the negotiating table." So a further effort was made to try to negotiate.

One of the parties in the discussion, Westminster, was very much in favour of having regional government. The city was very much interested in having annexation. The county had a much more difficult situation because it represented the interests not only of all the other municipalities but also of Westminster. The issue simply could not be resolved and regional government was not an option for the London-Middlesex area because of the distribution of popu-

lation. To have regional government in London-Middlesex would clearly have meant that there would have been one-tier government because of the overwhelming population in the city; therefore, the representation on regional council would have very much been overwhelmingly from representatives of the city of London. Other options had to be looked at.

There was a whole variety of options looked at by the Ministry of Municipal Affairs. One of the options that found a fair amount of support within the ministry was of having one large regional government that included the entire county of Middlesex and the city of London, plus the entire county of Elgin and the city of St Thomas. That option was actually publicly supported at the local level by the former MPP for Middlesex, Mr Reycraft. I think it's important for me to explain why we rejected the option that has been put forward by the Liberal Party at the local level.

I do not believe a regional government that would include all the county of Middlesex and the city of London, and all of the county of Elgin and the city of St Thomas would be able to deal with the variety of issues that exist in such a huge area. First of all, that would have been the largest regional government in southern Ontario. Second, it would have taken away from the community values a lot of people hold within that area; it would not have allowed for the maintenance of many of the communities in Elgin and in Middlesex.

I think that because of the huge area we'd be talking about, it would not have been economically viable. So I rejected that option right off the bat and said that we were not going to eliminate the county of Middlesex, that we were not going to eliminate the county of Elgin, and that we were going to look at a solution within Middlesex.

I also had difficulty with the whole idea that when boundary disputes take place, local politicians very seldom find local solutions. Mr Speaker, you would know this; you've been in politics long enough to know exactly why that happens. It happens because when you're dealing with boundaries and you're dealing with communities and you're dealing with empires, whether they're small towns or whether they're large cities, then everybody of course wants to protect his own community and his own structures. They don't want to see change.

Interjections.

The Acting Speaker: Order. The honourable Minister of Municipal Affairs has the floor. Other members will have an opportunity.

Hon Mr Cooke: Usually what happens is that reports are written and then they're sent off to the Ministry of Municipal Affairs. Because the issue is politically difficult to deal with, they would like to see the decision dealt with by somebody else and some other decision made and then they can heap scorn on the decision that's made. We tried a different process in this community. We instead went back to the community and said there are certain values, there are certain criteria this annexation must meet, and one of those criteria has to be protection of the environment, protection of agricultural land and the ability for the new city

of London and the new county of Middlesex to plan well into the future. That can be done only when this decision is made and you make a decision that will last for many years.

We also of course looked at things like where the airport should be and where the intersection between Highways 401 and 402 should be in order to encourage economic growth and economic renewal. London and Middlesex are projected by the Ministry of Treasury and Economics to be the fastest growing areas in this province in the next couple of decades, so it's important that we have the ability to have long-term planning and it's important that there be the ability to have economic growth, but it's also important that there be provisions for protection of the environment and agricultural land. That we have done.

There should now be the ability for London, under this plan, to plan for many years ahead economically, socially and environmentally. If you look in the legislation, there are actually some provisions for making it mandatory that the province be involved in the development of the new official plan for the new city of London, that there will be people in the community who are involved, not just the planning advisory committee that exists under the current Planning Act, and that there will also be the provision for a social plan to go along with the land use plan, which will be the first time that has occurred in the province. I think it provides for some very unique and innovative suggestions of how we can proceed.

There has been a lot of concern expressed about the amount of agricultural land that will be in the new city of London. I want to make it very clear that the new official plan will have to protect that land. It will not be approved by the province unless that's the case. That's why we're going to be involved in the planning process to develop the new official plan.

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I think it's been very instructive to hear some of the comments that have been made by people who have looked at the new provisions in this act. People have said very clearly that agricultural land is going to be protected, not based on which municipality it exists in but based on the official plan and based on provincial policy, and I can guarantee you, Mr Speaker, and the people who live in London-Middlesex, that agricultural land in this area will be protected. In fact the provisions in this legislation and the protection in the Brant report provide that the agricultural land in the new city of London will be the best-protected agricultural land in the entire province of Ontario.

In terms of protection of the environment—and the former Minister of the Environment is here—he will know some of the difficulties that existed in the town of Westminster. They were very serious problems and the province had to act. Whether we were in power or somebody else was in power, the environmental consequences of a subdivision that was built on septic tanks that then had problems and leaked in a massive way meant there had to be intervention.

I don't think the record of planning in this area has been tremendous, to say the least. There have been some real problems with planning and protection of the environ-

ment. People in the town of Westminster and people in the whole area recognize that there have been some major problems with protection of the environment and the way that subdivision was built in the town of Westminster. Everybody acknowledges that there had to be an annexation. Everybody acknowledges that. The county acknowledges that, the town of Westminster acknowledges that, and other people who lived in the county, as well of course as the city.

How could we find a solution that could be achieved at the local level? This is where the process was different than it has been in other cases. I do not believe a Minister of Municipal Affairs should simply take the chief negotiator's recommendations—and the chief negotiator is an employee of the Ministry of Municipal Affairs—take that report and make a decision in Toronto.

There has been some criticism by people in Middlesex that this arbitrator's process was undemocratic. I just ask you to look at the existing process under the existing act, the way it's been done in the past. First of all, the way it's been done in the past, in many cases, no decision is ever made at all. The decision the previous government had to make in Sarnia-Clearwater in order to get to the point where the government actually made a decision took 42 years for one annexation decision. I give the former minister a lot of credit. The decision that was made in Sarnia-Clearwater was a difficult one politically, but it had to be made.

In this particular case, what we did was we looked for a person who knew London well, who had a background of community service and was well respected. John Brant was a former president of the University of Western Ontario board of governors. He was involved in a variety of activities in the community, the business community as well as the social community. He enjoyed the respect of people from all political parties. He then went out and consulted, with the terms of reference that were set out by the Ministry of Municipal Affairs. He made a recommendation, and as an arbitrator, that decision of course had to be a decision that would be implemented.

When we had the first meeting and I pointed out that Mr Brant would have 60 days—here were the terms of reference; the decision was going to be made—there were a lot of local politicians both in the county and the city who said: "Good idea. We need to have a decision made on this. This is a good process." The criticism started coming after the decision was in, and of course that's what I expected. There's nobody who is going to universally support any decision dealing with annexations, but the decisions have to be made if there's to be economic growth, if there's to be good planning and protection of the environment.

The size of the annexation has raised some concerns. I'd just like to point out that the size of the annexation has something to do with the fact that in the county there are not a lot of people, so when you are annexing land in the county, then you have to look at where the assessment exists. If there's no assessment, then you can't just leave that land in the county, because it costs money to service it. But if there's no revenue from it, then it becomes uneconomical

and could be a drain on the county. That's why the annexation is large.

We looked at some other alternatives. An alternative was put forward by the member for Middlesex, Irene Mathysen, and we discussed with the municipalities in the southern part of the county whether that was possible. The difficulty they had was, as they said: "We'd like to take some of that land. We'd like to annex it into the existing adjoining townships, but we can't afford to do it because there's no assessment in the land and there's a lot of cost to servicing it," so it was rejected by the adjoining municipalities.

There's another suggestion that has now come forward from the county. I'll be meeting with the warden of Middlesex again tomorrow and we're going to discuss that. But I can tell you that after the process we've gone through, after the consultation we've gone through, it is my view that we must proceed and approve this bill for second reading. I'm prepared to, and I want to go to London to have public hearings on this bill if it's passed before the House adjourns. Then, if there are suggestions made when we get to Middlesex, we will of course listen to the people in that area.

I've been in that area and talked to people in that community at least seven or eight times since the appointment of the arbitrator and since the decision came in. I know feelings on these issues are very emotional and they're very difficult, but occasionally politicians have to make decisions instead of continuing to skate on important emotional issues like annexations. We've made a decision. Some people have praised the decision and some people have criticized it. There are very few decisions like this that are made where everybody is on side, but the decision had to be made. I can tell you that if we hadn't made this decision, any other decision would have received criticism as well.

The associate critic for the Liberal Party, who I am sure will want to speak this afternoon, was there first hand for many years. He was the administrator of the county, so he knows very much the reasons why decisions were not made by the county and the city before. He knows very well why it was impossible to come to a local decision. I'm sure he's not going to share all of that with the members of the Legislature today. I know that on an annexation question, it's highly unlikely that an opposition member is going to stand in his or her place and say, "This is the right decision," even if he knows in his heart of hearts that this is the right decision. I'm sure the member knows this is the right decision, but I don't expect him to say that today.

Mrs Caplan: On a point of order, Mr Speaker: The rules of procedure of this Legislature do not permit any honourable member of the Legislature to question the motives of another member. I clearly heard the government House leader and Minister of Municipal Affairs do exactly that in his last statement. I'd ask that you review and ask the minister to withdraw.

The Acting Speaker: The honourable member knows that he cannot impute motives, and I ask him to continue.

Hon Mr Cooke: The rules of the House don't allow the member to interject all afternoon either, but she gets away with murder in this place.

I'll finish my remarks by making one comment on one other very controversial part of the report in the legislation, and that's the whole issue of the public utilities commission in the city of London. The arbitration report recommended that the public utilities commission be eliminated and that what happen instead is that the council for the city of London control water, parks and recreation.

The London Public Utilities Commission is the only one in the province that has responsibility for hydro, for water and for parks and recreation. I think the arbitrator, Mr Brant, made a very intelligent and well-thought-out recommendation in saying that for the purposes of good planning and for saving money in terms of streamlining government, the public utilities commission should be eliminated, that water should go along with sewer so that good planning can take place, and that parks and rec should also go with the city so that when you're planning for the future of the city, all those responsibilities are with one group of people who can have direct responsibility to the public.

1630

There still will be a hydro commission, and the hydro commission will be appointed by the city council. It will be the current members of the utilities commission who will be reappointed for the balance of this term. But in the meantime, we're going to be able to streamline government. We're going to eliminate some politicians and we're going to be able to save, as the arbitrator's report said, millions of dollars in administrative costs by eliminating the duplication that exists by having two separate bodies.

Now that clearly has been one of the more controversial issues, but we worked through some of those problems by dealing with the employees. The employees have been guaranteed jobs. They're jobs with the city, and many of the human resource questions that I think were central and important to the transition have been dealt with by the transition team, along with involving the CUPE locals that represent the various workers at the local level.

I know this is a controversial bill in the London-Middlesex area, but I appreciate the opposition parties' allowing us to proceed with this bill for second reading. I hope we will be able to conclude it so that we can have public hearings and listen to the people in London-Middlesex and go forward with renewing the county of Middlesex as well as the new city of London.

The Acting Speaker: Questions and/or comments?

Mr Elston: We're all aware very much of the circumstances around which this bill has finally come to the House. I understand that there have been major differences of opinion, and that shouldn't be a surprise to any of us who have to deal from time to time with the annexation issues in our own constituencies. Although the member for Windsor-Riverside tries to make the London situation unique—perhaps the circumstances are unique to it—there are circumstances right around the province which invite similar questions to be raised. I can think, for instance, of

other cities with large populations just outside their areas that have developed as a result of the inviting assessment rates, or whatever, found outside the city limits. There will be, I believe, more of those problems coming to the fore.

I want to raise a couple of questions and request that the minister provide me with an answer or two. It's very common knowledge in the London-Middlesex area that a court case has been commenced. In fact, as I understand it, it has been argued and the people are now awaiting the judgement of the court with respect to whether this whole procedure under which Mr Cooke is proceeding is constitutional.

If we are in a situation where Mr Cooke is moving after having taken unconstitutional steps himself, it seems to me that we are premature in bringing this bill here. In fact what bringing this bill here does is actually cut off some of the access to the courts that has been taken by some of the people from the county of Middlesex.

There are other questions that have to be answered with respect to the cost of this annexation to the city and the ability of a whole series of ratepayers to shoulder the responsibility and burdens being picked up. But if he could respond to those two questions, that would be quite helpful for me.

The Acting Speaker: Further questions and/or comments?

Mr Allan K. McLean (Simcoe East): I'm pleased to stand up today and make a few comments with regard to what the minister is saying about restructuring. It's interesting to note that he talks about consulting, but for a long time I have not seen that consulting process taking place with this government. I can relate to other annexations and expropriations that have taken place across this province and I know the people have not been listened to.

I've had many letters from the people in Lambton and Middlesex counties with regard to this annexation that's taking place and I'm here to tell you that they're very disturbed, they're very concerned and they're upset. I have them coming to my office and indicating the problems they are anticipating, and letters daily, even another one today addressed to the honourable minister with regard to the boundaries dispute and the public utilities commission that is being dismantled. What's taking place there on a nine-to-10 vote in council certainly leaves a lot of room for improvements and input from the public.

I welcome the minister sending it to a committee because I think that's the most important place for it, and to have the hearings in London, to let the people come in and to make sure they have full and open discussion. If you had done that in Simcoe when we were dealing with Simcoe's county restructuring, there might have been a different attitude there.

But I'm saying to you today that you're indicating you want to have this open process, and I hope to be on that committee when it does visit London, because I want to make sure the people do have full input into it. The concerns that have been raised in the letters I'm getting with regard to the large amount of farm land that is going to be within the city of London is of great concern to me.

The Acting Speaker: Further questions and/or comments?

Mr Sean G. Conway (Renfrew North): I think this is a bill that ought to concern the Legislature as a whole. I have myself been aware over the last number of years that there has been in London-Middlesex, as there was in Sarnia-Lambton, as there has been in so many other communities, an ongoing discussion as to how the expanding urban boundary of, in this case, the city of London is to be accommodated. But as I think will become plain after my colleague the member for Brant-Haldimand speaks in a few moments, the issues that are contained in this particular legislative initiative are ones that ought to be of interest not just to people in London and Middlesex.

I would suggest to any member in the province that there is in Bill 75 the kernel of some significant new policy. It is a policy that I know people in my part of eastern Ontario, in areas like Brockville, Cornwall, Pembroke, Smiths Falls and Kingston, Cobourg and Peterborough, are going to be very interested to monitor very carefully.

It seems to me that what we have in Bill 75 is also a new mechanism. Certainly over the course of the mandate of this government, I would, if I lived outside London-Middlesex, look to this as an example of what kind of strategy and tactic I might employ to try to resolve the boundaries issue that might be affecting my own community.

What we see in Bill 75, the so-called Brant solution, is very different from some of the stated policy of the government in this province, particularly this government and previous provincial governments. The whole boundary negotiations process has been set aside here, for whatever reason, and I will have more to say when my turn comes. But as I say, this is a very important bill, not just for London-Middlesex but for the entire province, and I would encourage all members to take a very careful look at what has been proposed here.

The Acting Speaker: We can accommodate one final participant.

Mrs Dianne Cunningham (London North): I am pleased that this bill has come for second reading today, because I know that the city of London and the county of Middlesex and the townships are anxious for public debate on this particular piece of legislation. As I asked my staff about the letters that were written in, and the minister will certainly know the statistics, we had some 1,400 letters that didn't like the process and a couple that did.

If indeed we're looking at people in London-Middlesex who are unhappy with the process that took place, the least we can do now is to have some meaningful public hearings so that we can have the concerns of the public properly presented to the members of a legislative committee of this government.

It's quite true that this has been quite a startling reality, certainly for many of the citizens of Middlesex county, who of course have never been part of this process before, as well as of course the citizens of London. But the recommendations, as you will well know, Mr Speaker, seem to have moved in the direction of the concerns and certainly the desires of the citizens of London, as opposed to many

of the county residents, and I particularly am quite eager to be part of the questions and answers that can take place in the meaningful committee hearings.

My colleagues have spoken about their concerns in this House before. I now speak on behalf of the member for Grey, who would normally be here presenting the point of view of our party, and I certainly welcome the concerns around the court case that is out there right now with regard to the members of the Liberal Party. We too are concerned about the outcomes of those hearings, but it would be my expectation that with those kinds of concerns, we should get on with public hearings.

The Acting Speaker: This completes questions and/or comments. The minister has two minutes in response.

1640

Hon Mr Cooke: I appreciate the comments from the member, and since the member for London North spoke last, I would like to say that during this whole process all of the members from the London area have been very helpful. We have tried to deal with this matter—and I think the member from London North will agree—in a non-partisan way over the last several months, and the member for London North as well as the other members, Irene and Marion and David Wnninger, have met with us on an ongoing basis to offer their advice and to be updated as to the process and where we're going and parts of the legislation. I appreciate the involvement they've had in this process, even though not everybody is going to agree with it.

I would like to make one point in reference to the comments made by the member for Renfrew North. I know there are concerns from other municipalities in the province. I have seen them, I've seen the resolutions, I've talked to local politicians in my own riding in the town of Tecumseh and the village of St Clair Beach and some of the county councillors. I can only reiterate what I said earlier, that if you take a look at the county of Middlesex and city of London, there is no other area of the province where there is anything comparable in terms of the population base in the city versus the county. That limited very much the solutions that could be looked at in this area of the province. You wouldn't be able to and you wouldn't want to look at this type of solution in other areas of the province, whether it be in my county or whether it be in your county.

Back to Simcoe county, I would point out to the member who spoke from the Conservative caucus about public hearings for his restructuring that we haven't got the legislation yet. Wait for the legislation.

The Acting Speaker: Further debate on the second reading of Bill 75. The honourable member for Brant-Haldimand.

[Applause]

Mr Ron Eddy (Brant-Haldimand): I'm compelled to rise to speak to this matter, and I must say unaccustomed as I am to having people applaud before I speak rather than after, I'm also unaccustomed to being called a liar before I speak, as the minister certainly said in his preamble. I want to assure you I will not be lying during

the debate and I will be speaking from the heart. I did not appreciate the comment.

The Minister of Municipal Affairs, who has presented the bill, is either so ignorant of the provisions of the Boundaries Act or he is so inept and misguided in his reason and decisions to force an arbitrary decision on the good people of London and Middlesex and its constituent municipalities that he should join the other three ministers who should be resigning at this time and make it number four. There's no doubt about that in my mind, and I'll try to substantiate the reasons for that statement.

As I said, the minister must be completely ignorant of the provisions of the Boundaries Act. I want to speak about that act for a few minutes. Following the great Barrie-Innisfil annexation wars in the 1960s, involving the Ontario Municipal Board at several hearings, Supreme Court decisions costing millions of taxpayers' dollars both at the local and the provincial level, county and city, a call came from the Association of Municipalities of Ontario, composed of elected municipal officials, for a better process, and they were prepared to work towards a better process.

So a committee was formed, as is important in all matters, to proceed, and they had on this committee a number of representatives of the large urban municipalities, of the small urban municipalities, the rural municipalities, the counties and regions of Ontario and the northern municipalities. The committee was formed to inquire and make decisions and recommendations regarding a better annexation process.

The result of that committee of elected municipal representatives was to bring forth recommendations for a negotiations process where the elected people would have the opportunity to decide among themselves what decision should be made in any boundaries application.

When the bill was presented to the government of the day, there was great interest in it. Indeed, a draft bill was proposed. But before it was presented to the House, a pilot project was carried out, known as the Brant-Brantford annexation. That was an area the provincial officials said could never be settled through negotiation. It was a long, bitter fight, much longer. This has not been a long, bitter fight at all. In fact it's a very recent application, as recent as late 1988. The minister needs to be corrected, and I'm pleased to do that at this time.

We had the pilot project—and would you believe it?—The locally elected officials of the township of Brantford, the city of Brantford and the county of Brant negotiated a settlement with a provincial arbitrator using the proposed system. It worked. That had a moratorium in it and that will carry on for quite a few years.

The city got what it wanted. It got large tracts of land. It was not number one farm land, as we're giving away today. It did not rob and pillage the township of Brantford of its local industrial areas which serve as the industrial assessment for both the township and the city. Everybody was happy because the province said: "We're going to help you service those abandoned gravel pits. The land that has tremendous gravel resources, we're going to allow you to take that out first and then use that for industrial and commercial development."

That's what's happening today. Out of a very bitter situation came one of the most acceptable solutions you could ever have. Why did that happen? It happened because locally elected officials were allowed to decide their future. It wasn't a unilateral, arbitrary decision as we have in this case.

I know the Municipal Boundary Negotiations Act is not the Magna Carta of 1215 that brought social justice to civilization. It's not the Declaration of Independence of 1776 that our neighbours to the south brought about. It's not the Baldwin act of 1849 that brought local self-government to Ontario. It's not that, but it is a negotiated process for settling boundary disputes.

What's wrong with it? I don't know what's wrong with it, but the present minister has seen fit to make an arbitrary decision to appoint a sole arbitrator who had no municipal experience whatsoever and did not know the county. He brought him in and introduced him to the elected officials of the affected local municipalities—the townships of Delaware, London, North Dorchester, West Nissouri and the town of Westminster, the county of Middlesex and the city of London—and said: "This is the sole arbitrator. This man is going to hold hearings and make decisions and recommendations to us. Whatever he recommends, I will legislate." I thought it was the Legislature that legislated bills, but it's the Minister of Municipal Affairs.

The minister said no one objected to that. Do you know why no one objected to that? It was simply because they hoped the sole arbitrator would have hearings, would listen to people and, more important, would hear what they were saying and act on the majority viewpoint expressed. Hearings were held. Unfortunately, the sole arbitrator heard the people, but the recommendations do not correspond with what he heard. I have talked at length both with elected municipal officials and with other citizens who attended every one of those hearings, and there were a multitude of them.

1650

As I said, this boundaries negotiation process was brought in, it was legislated. It was tremendous because it was seen as removing the medieval shackles of annexation wars from municipalities. Instead of spending millions of dollars going to the OMB and having several hearings, as in the case of Sarnia-Lambton, as we know, and many others, spending, spending, spending, the elected municipal officials would sit down at a table with a negotiator appointed by the province and negotiate the results. That's what's happened in many cases. The minister, I notice, noted particularly Sarnia-Lambton and mentioned that was a forced decision. I'm not sure of that, but I do know that all of the locally elected representatives signed an agreement at the end of that process agreeing with what would be done, and that has happened in the case of all applications for annexation since the present Municipal Boundary Negotiations Act was passed. They've all had that opportunity and they've all done it and that's the way it should be.

I'm very disappointed in it. I was an appointed official in that regard in the county of Middlesex and there was a great deal of progress. There wasn't total agreement and we didn't get to the point where there was total agreement,

but I want to stress that the negotiations that were concluded where there were agreements on certain matters were negotiated outside of the boundary negotiations process, because the negotiator who presided over the negotiations did not require nor were there actual negotiations at any of those meetings. That's unfortunate, because the negotiator had a great responsibility and there should have been some decisions.

There are many matters to speak to in this regard, but I want to stress to you and to the citizens that I am speaking from the heart. I think what has happened here is a precedent which the minister and the government are going to have to live with for a long time. He says London-Middlesex is a very unique area. That's true. What area in the province, what municipality, is not unique? Every situation is unique.

The minister has stated it's the only area in the province where there's an imbalance, but I want to point out that there are other areas where there are imbalances. I want to point out that the city of Brantford is reaching 100,000 and poor little Brant county, which is all the way around it, is 25,000. Is that an imbalance as great as this? Of course it is, and there are a couple of other areas.

I also wanted to point out and ask if the members know how the city of London got so large. It got so large through previous annexations. It more than doubled its size in the annexation of 1962. Of course, that was under a previous process: That was when municipalities went to war, to the OMB, and hired the lawyers and all of the professionals and the specialists and fought it out, with the taxpayers' money of course.

So I think what has been in use in the last few years is a much better process and it should be used, it should be followed. It is the law of the province of Ontario. It is legislation, and no one, especially the present Minister of Municipal Affairs, has the right to go around it, as he has in this case. He made a unilateral decision that has landed us in the court. I would say, from my own knowledge, that it never needed to happen nor would it have happened if we hadn't had a unilateral, arbitrary decision annexing 64,000 acres, predominantly classes 1 and 2 agricultural land. Some of the finest land in Ontario and some of the finest dairy operations in Ontario are going to be annexed to the city of London.

Don't you agree with me? I propose that annexing prime farm land to the city of London—we can say all we want about protecting it; sure it'll be protected, maybe for a whole year—is like hiring Colonel Sanders to babysit your pet chicken.

Mr James J. Bradley (St Catharines): How many acres was that?

Mr Eddy: It's 64,000 acres. There's no stalemate. The county and the affected local municipalities are prepared to negotiate. They're not stalemating annexation; they have offered 24,000 acres to the city of London. In the annexation of 1962, with the thousands and thousands of acres annexed to the city, it was for a city of 500,000, to last after the turn of the century.

Mr Bradley: Has anyone told Stephen Lewis how much they're annexing?

Mr Eddy: How many acres a day are we losing? Yes, I used to listen to that particular gentleman speak in the Legislature weekly, if not daily, asking how many acres of farm land per minute, per hour, was going out of production? How much land going out of production this time? It is 64,000 acres.

The minister says, "We'll protect it." Maybe you can say it's going to stay farm land, but you can't force people to farm it and you can't force farmers to maintain ownership of it, so what's going to happen? We understand that the developers own a considerable amount of it now. How much are they going to own one year from today? You're protecting farm land but you're certainly not protecting agriculture, and I think that's a very important thing.

There are many other areas in the province of Ontario, and I was told the other day by the president of the Association of Municipalities of Ontario that if this happens there will be a lineup of applications for annexation. Why wouldn't there be? All you have to do is apply to annex this township, this township, this township, and then stalemate the negotiations, because the Minister of Municipal Affairs will then say: "This is a very unique area. We have to have a settlement. There are industries not coming here to locate—and they would—because of these boundary disputes. So what we'll do is have an arbitration process. A sole arbitrator will be appointed." He doesn't need to have municipal experience and doesn't need to know anything about municipal government.

Mr Bradley: John Sewell?

Mr Eddy: John's busy. He's working on a planning process. I don't know, is that going to save farm land? It won't save agriculture.

There are many other areas and I want to list some of them: Brantford in Brant county; St Thomas in Elgin county; Windsor in Essex county. It's too late to save the separated town of Riverside: Riverside already went; it was ceded by the OMB a number of years ago. I don't know where the honourable minister stood on that issue, but it's long gone. There's Kingston in Frontenac; Owen Sound in Grey; Belleville in Hastings; Chatham in Kent; Prescott in Leeds and Grenville; Gananoque in Leeds and Grenville; Brockville in Leeds and Grenville; St Marys in Perth; Stratford in Perth; Peterborough in the county of Peterborough; Trenton in Hastings and/or in Northumberland, because it borders Northumberland, Smiths Falls in Lanark, Pembroke in Renfrew, Barrie in Simcoe, Orillia in Simcoe, Cornwall in Stormont, Dundas and Glengarry, and Guelph in Wellington county.

1700

Those are the cities and separated towns located in the counties of southern Ontario. As we know, the same process is not followed, of course, in the regional municipalities because there's a different process. Each region has its own bill and arrangements are made in those cases. So they won't be facing it in quite the same way.

Any of these municipalities could apply tomorrow, and they could, if they wish, get into negotiations and then stall

them. In addition, there are hundreds of villages and towns in counties of Ontario which, through annexation, could become separated municipalities and get even more.

The precedent, and it is a precedent, a unilateral, arbitrary decision which is a precedent, which is challenged in the courts at the present time—I was hoping we'd have a decision. It'll be very interesting to see the decision on that particular application. We'll see that one day.

The municipalities of Middlesex county were negotiating but wanted the matter of compensation to be dealt with. The city of London said: "Of course there should be compensation, but it should be from the province of Ontario." I suspect that anybody here who's been involved in any annexation knows there are settlements, and there are usually provincial funds of one sort or another for certain purposes. In the case of Brant-Brantford, there's considerable funding for new roads and services for this industrial area, which is composed of gravel lands, partly excavated; the balance will be before it's developed. Isn't that the way it should be?

They wanted to talk about compensation. The city said, "That's from the province, naturally," and who would blame it? Why not? It's happened in any other place. When Hamilton-Wentworth was formed and the city streets became regional roads, the city of Hamilton had been in the custom of debenturing every road it reconstructed. In order to settle the matter, the government paid the debenture debt on those roads that became regional roads so the debt wouldn't go with it. It was a negotiated settlement and people felt they got a good deal.

Here, the province says, "There will be no compensation," but it did come along later and say, "Yes, there will be compensation." I have the figures here some place. I believe it's around \$1 million a year. But it's each year for a period of 10 years, at the end of which the suburban roads commission will be dissolved.

The suburban roads commission system is a system the provincial government brought in prior to the First World War whereby the large separated urban centres would contribute to certain designated county roads so that those roads would be kept in good shape, and they were, and it's worked. Every other separated municipality in a county in Ontario has a suburban roads commission and contributes up to a half mill on its assessment as equalized by the Minister of Transportation, and it's working out very well. Sometimes the cities say, "Well, we shouldn't be," and there have been discussions on that.

My point on that matter is that this should not be discontinued, because it is pillaging or robbing the counties of that income from the cities. If the MTO wants to negotiate a change and do away with a suburban roads commission and suburban road appropriations from the large urbans, that's fine, but there'll be something to replace them and it'll affect them all. The city of London will be the only separated municipality in Ontario, in a county, that will not contribute to suburban roads if this bill goes through, and I think that's wrong.

The only other one that's a bit different is the city of Brantford; again, a negotiated settlement in the Brantford annexation process where the city says, "We don't want a

suburban roads commission any more, but we will gladly continue to pay the half mill on our assessment as equalized by the minister," and that is continuing. They have the right to come to the county council or the county engineer and say, "Mr Engineer, we would like this project to go ahead in the county next year on this county suburban road because we're going to do this on the other side in the city," and it works out very well.

In addition to taking millions of dollars of assessment from the local municipalities in the county, along with the 64,000 acres, and reducing the county's income from those areas, the province, by this arbitrary bill, is also going to discontinue the suburban roads appropriation for one separated municipality. When the minister says it's unique, it's not unique, but it is certainly—I hope the Minister of Transportation will comment on that. I hope he realizes this is changing the system for one separated municipality in the county only.

When the 13 southerly municipalities of York county were added to the city of Toronto in 1952 to form the municipality of Metropolitan Toronto, the suburban roads commission wasn't discontinued. Before it became a region, Metropolitan Toronto paid to the county of York one half mill on its assessment and all the county roads in York county became York suburban roads. Why? Because they took people to the lake and brought them back too; a little crowded at times.

When the city of Hamilton annexed a great deal of land from Wentworth county in 1968, the township of Barton and parts of Saltfleet township, Ancaster township and West Flamborough, and became a very large city of over 300,000 compared to the county's 90,000, the suburban roads commission was not done away with. All the county roads became suburban roads, and that relieved and rather tended to compensate for a reduction in income. Because of a reduction in assessment of those local municipalities in the county, it tended to make up for some of that.

It was a very just and proper system. I'm sure the Minister of Transportation will agree with that, because suburban roads commissions are in use in all counties of Ontario. The city of London is part of that system and would continue except for this particular bill.

Much has been said about negotiations and discussions with locally elected officials. I'm telling you, nothing has upset me more than the way the present Minister of Municipal Affairs has treated locally elected officials. Personally, I would ask that he stop treating locally elected municipal officials like horse shit, because that's exactly what he's doing.

The Acting Speaker: Would the honourable member please reconsider using those words.

Mr Eddy: I apologize. I meant to say "horse manure."

The Acting Speaker: Please. Language is a way of communicating and there are good ways and less good ways, if you will, to use it.

1710

Mr Eddy: Mr Speaker, I will withdraw the term "horse manure," but I really feel very strongly about the way the present Minister of Municipal Affairs has treated

municipal elected officials. It doesn't matter about the appointed ones. I've been one of them and you can call me anything, and I have been called names and that's fine. That's part of the job, even—well, we won't say about the employers. So I will say I wish he would stop treating the municipally elected officials in the area—and if you people would go out and talk to some of them, you would find how they are seething about the way they have been treated. They don't come forward and spout off about it, simply because they're afraid of what else will be done to them, because it is so arbitrary and unilateral and it's going around the law.

The boundary negotiations act is a law of the Legislature of the province of Ontario. It was negotiated by locally elected municipal officials, a level of government and perhaps the most important level we have because they're closest to the people. They hear every day what's on the people's minds and they react. That's one of my disappointments in coming here, because I find you don't have the effect that you can have in a locally elected council with other members, where you can prove your point and there is more give and take. I think that's unfortunate.

I went through the whole bit of the establishment of regional government, and I must say, even there, there were negotiations and the opportunity was given to anyone, any elected council and any elected official, to give his opinions and to say what he wanted to say. So I think the treatment given to locally elected municipal officials is wrong. It's terrible, and I wish the minister would not act that way. It is most improper. I was a locally elected official, and I will tell you now, I would accept from no minister what has been handed and said to some of the elected representatives of Middlesex county, including the warden. I know because I was there. The minister can call me a liar, as he did before I ever spoke.

The Acting Speaker: Please, I did not hear unparliamentary language from the minister. I would like to suggest that you may want to withdraw those comments, to the member for Brant-Haldimand.

Mr Eddy: Mr Speaker, I'll withdraw the statement, but the minister did say that he knows I would not speak from the heart and say the way it was. Certainly they were false. The negotiations process was not successful, but the minister, instead of appointing an issues review committee as required by the boundary negotiations act, appointed a sole arbitrator for the process. A sole arbitrator is not provided for in the act. There's been no agreement about that. We detest it, and certainly the others will.

That's one of the issues. I guess the issue about the suburban roads commission—and I want to get into another long list of things: the PUC, the public utilities commission of the city of London, which is none of my business in a sense, although I guess it is somewhat, being associate critic; the dissolution of the public utilities commission, a locally elected body, established by the council of the city of London, being disbanded by the Minister of Municipal Affairs. What's wrong with letting the city of London decide whether it wants to continue with the public

utilities commission or not? It's not in the terms of reference.

The annexation of lands to the village of Belmont in the county of Elgin was not in the terms of reference, but there it is. You don't have to apply any more for annexation of lands to your municipality. You can have it included, apparently, in somebody else's bill. I didn't realize that Belmont wanted to expand, but in the bill it's getting—I don't know whether it's several hundred acres or whatever, but it is being expanded.

Before I leave the dissolution of suburban roads, I want to say how crucial it is to the county of Middlesex, because not only are you taking most of the industrial and commercial assessment of the county, which is in the town of Westminster, immediately adjacent to the city on the south; not only is the bill annexing practically the entire 401—it will if it takes the town of Westminster—corridor and the 402 corridor and robbing the county of any opportunity in the future of having any or much industrial growth; it is also taking Crumlin airport—London Airport, as you know it—from the township of West Nissouri.

The township of West Nissouri has done studies. Do you know what's going to happen with the township of West Nissouri? I believe it's three years and it'll be bankrupt, because it gets a large grant in lieu of taxes. The airport is a very large portion of the township.

The airport doesn't really need to be in the city of London. Malton—excuse me, Toronto—Lester Pearson airport is not in the city of Toronto; it's not in Metro; I don't think it needs to be. Hamilton Airport is not in the city of Hamilton; it's in Glanbrook township. The city has a civic airport committee. It develops and services it, but it does not have to be in the city of Hamilton; in fact, it isn't.

Neither does Crumlin or London Airport have to be in the city of London for the city to develop it. They've already serviced it; they serviced it some five or six years ago. It has sewer services and water services, I suspect through agreement. It does have agreements with the township of West Nissouri, the county or the suburban roads commission to cross the suburban roads and all that sort of thing. They're in place.

It's such an interesting thing that's happened, because the city was negotiating with the county and the local municipalities for lands. I know it didn't arrive at a successful conclusion, but I think the minister could have taken other steps that brought it about. But the fact is, in 1988 the city of London council passed bylaws to annex lands from the township of London, the township of West Nissouri, the township of North Dorchester and the town of Westminster.

A year later, they rescinded the bylaws to annex lands from the township of West Nissouri and the township of North Dorchester and made the statement: "We are not interested in proceeding with an annexation in those municipalities at this time. We're leaving it. We are concentrating on our annexation application of lands in the township of London and the town of Westminster." Indeed there was a settlement successfully negotiated between the councils of the township of London and the county of

Middlesex. There wasn't between the town of Westminster council and the city council because the council of the day there, in its wisdom, preferred to look at a regional government setup.

The city had said, "We don't want that." Now what do we find? The city would have settled initially, as I understand it, for a little over 20,000 acres. That's what they would have settled and signed for. What is the Minister of Municipal Affairs doing on the recommendation of the sole arbitrator and making an arbitrary decision completely outside the boundary negotiations act?

He's giving them a very large portion, practically the total industrial assessment, of the township of West Nissouri, and he's giving them a large tract of land in the township of North Dorchester; they were off the table before the negotiations procedure ever started. He is including a portion of the township of London and a portion of the township of Delaware—how did that get into the act? The sole arbitrator wants it in the act, apparently—and all of the town of Westminster; of course that was a township just a few years ago, approximately five years ago.

1720

The municipalities are meeting with the minister, as he stated, and I'm so pleased and I thank him for agreeing to meet with the municipally elected officials. I'm not sure whether the member for Middlesex was aware of that or whether the honourable member for Middlesex will be included, as she should be. I'm not sure of that, because I understand there was a previous meeting where it was a take-it-or-leave-it offer by the Minister of Municipal Affairs, and she was not included. It's hard for me to understand why the honourable member would not be included when it's her riding, so to speak, or it's the riding which she represents and deals with the people whenever she's in the riding.

I don't understand that, but I thank the minister for agreeing to meet with the representatives and I sincerely hope that tomorrow afternoon when he meets with them he will deal with them in a proper manner because they are elected municipal representatives, equal to us in every respect. At least that's the way I operate in the riding I represent, which of course is composed of several local councils and three upper tiers, as a matter of fact. I'm privileged to represent one municipality in the region of Waterloo; all of the local municipalities in the county of Brant; two first nations areas, Six Nations and Mississaugas of the New Credit; and the towns of Haldimand and Dunnville in the Haldimand-Norfolk region. So I deal with a lot of elected people and I think it's very important to foster the relationships between locally elected councils and the representatives of the other levels of government. It's essential, and one of the criticisms I hear continuously is about everybody going in their own separate directions and not knowing or caring how the other representatives feel or which way they're going, and that's a shame.

As I said, I was involved with the negotiations. I don't know how much I can comment on them, because at the insistence of the Ministry of Municipal Affairs all those negotiations were in camera. The ministry would not allow

us to have open meetings. The county and the affected local municipalities voted for it, but the ministry would not allow it. They felt very strongly that in matters like boundary negotiations—and there was no idea that an entire municipality was transferred—that the local people should be able to hear or indeed the media should be able to report on what was happening as negotiations were going on. The reason for that simply was to allow citizens to respond.

Any of us who are in elected office know that you are contacted by citizens from time to time on various issues, and many times they have good ideas and information that can be useful in any matter that you're dealing with and especially in those negotiations. That's been my experience in the 37 years I have been employed by municipal governments in the Wentworth and Middlesex areas, and of course the last 13 as an elected representative at the same time. I had some very strong feelings about it and I was always pleased when people would take the time to phone me or write to me or have an appointment with me, even if it was just to set me straight, so to speak, or tell me off, because at least you knew what was on their minds and you knew why they were thinking that way.

As I said, in 1988 the city of London applied to the Ministry of Municipal Affairs to annex certain lands. The city, in spite of the annexation many years ago providing all this land for a city of the future of up to half a million or more—it may have been 600,000—felt it needed more. Of course there are pressures of growth and development because of the controlled-access Highway 401 and now Highway 402, which joins it; indeed Highway 403 accesses 401 just east of the county of Middlesex. So it's in the heart of southwestern Ontario. It is a hub. It is the commercial, industrial and residential centre of all of southwestern Ontario, and we know that. They felt the need to have additional lands for long-range planning for growth.

Municipalities in the regional municipalities don't have that same option; of course it's because there is a regional government which supplies many of the hard services at the upper tier. The city felt the need to grow and to plan for the future. The county was prepared to sit down, and did sit down, to negotiate the city needs. The township of London and indeed the other two townships, before the city council saw fit to rescind those bylaws applying to annex lands from the two, were agreeable and were included in the boundary negotiations at the beginning. So what was the problem? The problem was the age-old problem that is the case when any urban municipality, urban centre, annexes areas adjoining: simply the amount of land and what was to be lost.

The township of Westminster, latterly the town of Westminster, was really concerned and upset about losing all of the industrial. It was important to the town to continue to supply services. By the way, it's not mentioned very often but the town of Westminster does have a municipal water supply and it's hoping to be in on the new Lake Erie water pipeline from the south, as the city of London will be and has applied to be. I'm not sure where that stands. It's either that or another pipeline from the north from Lake Huron, a provincial pipeline which we, as the

province, had built to supply water to the city of London and the local municipalities along the way, but it has more than met its maximum capacity. So the city PUC is presently looking at paralleling that or bringing water from Lake Erie, and if a water pipeline were to come from Lake Erie from the south, it would pass through the town of Westminster. Wouldn't the town of Westminster have as much right to water off that as would the city of London? Of course it would, and I know we all agree to that.

So it's not that the town of Westminster has no services; it's not that way at all. It's more like the cities of Waterloo and Kitchener, side by side, the twin cities, and I suspect they want to continue that way. Certainly if they want to—if the citizens want to—continue that way then that's the way it should be. If a bill were ever to come in to put those two municipalities together, I imagine lots of us would be on our feet opposing it. The same is true of the town of Westminster sitting beside the city of London.

1730

The problem was not that there will be no annexation. The problem was how much are the local municipalities and the county prepared to cede to the city of London or let the city of London annex and for what compensation or for what in return?

The usual thing in most municipalities is that you get land for services or you get land for compensation, and that's what the boundary negotiations act is all about. I don't recall in my experience any petition or request for changes to the boundary negotiation act, either by the large urbans, the small urbans or the rurals. I don't recall that at all, because it was initiated, was negotiated by the elected representatives of those municipalities. They went to the Ministry of Municipal Affairs and there were some changes. There was a pilot project and everybody was agreed that this was so much better than the old system of passing a bylaw to annex, starting an annexation war, applying to the Ontario Municipal Board, hiring lawyers, professionals, experts, planners, a whole array of expert witness. Surely some of you remember those days. You must remember some of the big annexation wars.

This other process may take what seems longer. The minister referred to Sarnia-Lambton. Of course Sarnia-Lambton is an old, old story. The city of Sarnia went, many years ago—I was at a conference in the early 1960s at Point Edward. They had been to the OMB, the city and the county and the local—that was the last year for the village of Point Edward. It would be no more, because they were expecting a decision of the OMB saying it's all in, Sarnia township or a large portion of it, Moore township to the south, Chemical Valley, and Point Edward's all gone.

The OMB came back, and I've forgotten—the member for Lambton will know this and be able to refresh my memory about it—what the OMB said: "It's too small. You're not asking for enough." Either that or it was too large. So they regrouped and they put in another application. Some five or six or eight or 10 years later another application went forward. There was another hearing and the OMB, in its wisdom at that time, said the reverse. It

was either—if the first was it was too small and the second was it was too large, then it was the other way around.

It was settled, but I want to point out the difference here. Maybe it was a forced negotiation—they all are—but at least the locally elected representatives, at the end of that process, signed an agreement. There had been elections. There had been some members change. There was a thrust and a desire for locally elected people to come to some conclusion, to get the matter settled and get on with life, and there was an agreement. Whether it's the right one or not, I'm not commenting on. I'm sure we can get viewpoints from the members.

I'm disappointed in the system and the road the minister has decided to go. I'm sure if he was here he'd be telling me to shut up or sit down, as he does so many members in the front row. But it's unfortunate. I know the people are angry over this decision. I know people and I've had people talk to me from the city of London who say: "It is too large. We don't want this large an area because we're going to have to service it. If the town of Westminster becomes part of the city of London, the city will have to service it."

I know there's a volunteer fire department in the town, and maybe some arrangement can be made to keep that on. I don't know whether that's allowable in a large urban municipality, with the unions or what. The city will have to start policing it immediately. There is no local police force in the town. That was being discussed and I think they were under way looking at that. But there will be policing. There will be some services that will be expected. If they're part of the town of Westminster, they may demand London bus service. I don't know this—petition for it; let's put it that way.

In my opinion, the views of the people, of the citizens of the area, of the city of London and the townships of Delaware and London, the town of Westminster, the townships of North Dorchester and West Nissouri, are being ignored. We're going to have hearings. I know there will be hearings where people speak. But it's one thing to hold hearings; it's one thing to hear people and it's another thing to react.

The fear is there won't be any changes to the bill. I'm not prejudging it, because I don't know. The fear is simply because the elected representatives were excluded from the process. They could make presentations at the hearings. They weren't prevented from going to the hearings, I don't believe. They were included in that.

In addition to the 64,000 acres being annexed from constituent municipalities of the county of Middlesex adjoining the city, there's a large area known, as a buffer zone, of 55,000 acres that's completely sterilized; no developments unless it's farm related. Where in Ontario do we have such dictatorial arbitrariness?

In the case of Brantford, a negotiated settlement said, "Yes, we need a buffer zone." It's a green area or a buffer zone. But what they did was establish the buffer zone beyond the city of London for at least half a mile. It goes further in some cases. They took at least half a mile. They said the area to be annexed to the city, the designated area around the city, shall be a mutual advisory planning area.

There will be a mutual advisory planning committee with three representatives from the city of London, two from the township of Brantford and one from the county of Brant. No changes can be made unless they agree.

What do we find has happened? We find there have been several changes. Certainly there has been considerable development in the area annexed to the city, changes to the official plan that were required by the negotiated settlement, changes in the zoning. Many things have changed. There have been new roads and accesses on to suburban roads that were never contemplated at the time. There have been changes in the buffer zone in the township of Brantford. Why? The elected representatives sat down and agreed to it. They negotiated the changes.

Hon Gilles Pouliot (Minister of Transportation): They negotiated green lumber.

Mr Eddy: That is what the boundary negotiations—
Interjection.

Mr Eddy: It doesn't bother me. I like the input. It's a democratic forum and a democratic process. I want all the comments I can get. I'm used to heckling. I'm used to name calling. I'm almost a veteran, not as much as some members here.

It's unfortunate I'm here today to speak to this issue. I was compelled to speak to it because a lot of people have said to me: "For heaven's sake, can't you reach them? Can't you talk to them? Can't you reinstate the value in the negotiation process for annexations?" I don't think the honourable minister or any member of the government realizes what he's dealing with here. I don't know whether I can reach any of them or not. I know the member for Middlesex is listening to me intently because she has real concern about that. It's a mess, but we're going to try to do it.

The previous Liberal government urged London and the county municipalities in this dispute to work out solutions under the existing negotiations act. The Liberal government of the day rightly believed the negotiation process under the act was the proper way to resolve the issue, whether it was quickly or not. It takes time. We've all been involved in meetings that take far longer than they should. But when you're dealing with your entire future, when you're dealing with boundary changes and changing property, land, assessment, people and services from one municipality to another, it takes time. You have to consider all the problems you may create by doing what you're looking at. As I say, I'm so concerned that the public has not been listened to.

1740

I know in many governmental processes there comes a time for someone to make a decision. You have the boundary negotiations process. You negotiate, you come to some kind of conclusion; or, if you do not, the chief negotiator submits a report to the Minister of Municipal Affairs, and he may do one of several things. The problem here is that the minister didn't do any of them, not one of them. He went around it. What do they call that? There's a term for that. He went out around it, he ignored it, he didn't close

the procedure off. He did not name an issues review panel. They could have dealt with that, I'm sure.

If he had to have an arbitrator, why couldn't he have had a board of arbitration, a member appointed by the county and its municipality, one by the city and a neutral? Wouldn't that have been preferable? Even that would be preferable to this.

Mr Gregory S. Sorbara (York Centre): He is one of our best new members.

Mr Eddy: Till the next election, anyway.

I'm gravely concerned about this and I hope I can instil my concern in other members here who are representing counties which have separated municipalities, because any of you could find yourself in the same position as the honourable member for Middlesex and I. That's why I think it's so important to please look at it. I've listed a number of municipalities in this province, and any one of them could have this same problem tomorrow, and indeed, as I said, hundreds of other villages.

They say the county of Middlesex is unique because the city is so large. How did it get so large? By annexation over the years; of course it did.

In this unprecedented move, the present Minister of Municipal Affairs has arbitrarily appointed a sole arbitrator to review the application of the city of London to annex areas of adjoining municipalities. There were terms of reference, and he was recommending a new boundary. Although the minister has, and we all know this, under the Municipal Boundary Negotiations Act wide-ranging authority to effect a new settlement, this third-party determination is new and disregards the sacrosanct principle of negotiating a local settlement.

As I said, the sole arbitrator had no municipal experience. I know the minister said he served as chancellor, I believe, or president of the board of governors of the University of Western Ontario, and that was excellent. I understand he did an excellent job, but he had no municipal experience. Let's face it: Municipal government and provincial government and federal government are absolutely different from business. It is my understanding that the arbitrator had no experience in municipal government, and so he required five advisers from the Ministry of Municipal Affairs and 23 researchers. I've forgotten whether it was five or seven.

I have to ask—I'm forced to ask—whose report was it? Whose recommendations are they?

Mr McLean: The ministry's.

Mr Eddy: Thank you for your comment.

As well, the minister—and I well remember the day when he introduced Mr Brant—pledged to legislate whatever the arbitrator recommended. Has any minister ever put his future in the hands of another individual to that extent? "Whatever he recommends we will legislate." I couldn't believe my ears. Why would any minister ever say that? He could say, "I will consider." He could have said a hundred things other than, "We will legislate whatever he recommends," and he told Brant that.

Brant went out and had the hearings and brought in a report, but he did have his seven advisers from the Minis-

try of Municipal Affairs and 23 researchers. I haven't checked that, but I have been told that by more than one person. Of course you would have, because in the Ministry of Municipal Affairs, the boundaries and negotiations branch is there for that purpose. They're there to protect the provincial view on annexations. That is fine, but where is the municipal view? Who protects it? Nobody protected it. There was nobody there to speak for the municipalities, because he wouldn't listen to the people. He did not. That's a mistake and it's wrong.

I sincerely hope that when the minister speaks to the elected representatives of Middlesex county and its affected local municipalities—and I'm not sure whether the city is going to be or not—that he will listen. There can be a negotiated process. There can be a negotiated settlement. There can be a negotiated agreement signed by the representatives of all municipalities affected. Wouldn't that be better than us voting here on the bill that imposes things on the citizens of the city, on the citizens of the affected municipalities of the county of Middlesex, and indeed on Belmont, a municipality in another county? My goodness, it's amazing.

The minister pledged to legislate whatever the arbitrator recommended. I well remember the day that Mr Brant appeared and pronounced his recommendations, and the minister again said, "Your recommendations will be legislated." Since that, I understand that when he was asked a question, he said, "No, we won't legislate that." Why not? "Well, that wasn't a recommendation. That one was a suggestion, so I'm not sure about that."

At the meeting where Mr Brant presented his report to the elected representatives, one member got up and said, "Mr Brant, I want to talk about the area." He said: "You can't talk about the area. That's not on the table." No one will discuss the size of the area. Why not? It's in his report. It's a shame.

I'm sure the members here all agree with me that this unprecedented, arbitrary move, combined with the mandate given to Mr John Brant, has turned the role of the arbitrator from a recommending body to a decision-making body, and that's the effect it had. I just don't understand why we're faced with that.

The arbitrator's determinations were bound to be contentious because it's an imposed solution. Obviously, in the competing claims between the city, the county and its affected constituent municipalities, someone would lose. The local municipalities knew that and they were prepared to lose something. They were very realistic: "We have the large city of London. It has some room for growth, but it wants more. We will negotiate it." And that's what they were doing.

However, the Brant report contained startling surprises in the extent of land which it transferred to the city. I've said 65,000 acres. Does anyone realize how large that is? I think the closest in size is probably the city of Mississauga. I've forgotten whether it's a bit larger or a bit less, but that's the size of land. The city of Mississauga is composed of the former townships of Toronto, Toronto Gore, Streetsville, Port Credit—there are several municipalities all put together, and that's the city of Mississauga.

That's what we're talking about adding to the city of London, so it will more than double the city of London's existing area and eliminate—and this is the really bad part—more than 35% of the county's tax base.

I think the Minister of Municipal Affairs is a bit skittish about this matter, because he has responded to the petitions—and I have a communiqué here where he's responding to me, I believe—in a way which was rather startling. In addition, he has recently sent a letter out to all municipal councils in the province stating: "I want to explain to you that this is a unique situation. It's because London is so much larger than the county." The county of Middlesex is one of the largest land masses of counties in Ontario. It's not the biggest; I believe Simcoe county still holds that record. But Middlesex county is a huge county.

1750

Mr Bradley: How many acres?

Mr Eddy: Well, I can't get down to figures now. There are 15 townships, five villages and two towns. It's five times the size of the city of London, but it doesn't have as large a population. Why doesn't it have as large a population? Because the development has been in the city of London because of the 1962 annexation doubling or tripling the size of the city of London at that time. And that's fine; it's the urban centre for southwestern Ontario.

So the minister sent out a letter saying: "This would never apply any place else in Ontario. It's only in London-Middlesex because it's unique." Well, Brantford is just as unique; there is a large imbalance there as well, approaching 100,000 with lots of area to develop—and it's developing—compared to poor little Brant county with around 25,000. I had an example of another area; it slips my mind at present, but there is another city-county combination.

It's not a valid argument, because if a large township adjoining the city of Kingston, for instance Kingston township—and I'm afraid even to mention these names—were to annex, then the city of Kingston would have the same imbalance with the county of Frontenac, absolutely, or Ernestown township. It could happen many other places; there's no doubt about it.

I've mentioned many points, but the size of the annexation is crucial. It takes in large rural areas, farm land. Why would any member in this House agree with taking very large, immense areas of good farm land and putting it into the urban centre that didn't ask for it and doesn't really want it? It's far bigger than they ever wanted.

It has been mentioned that I will not be speaking from the heart. I do speak from the heart. What's happening here worries me. Is there no room for rural-type government for agricultural areas, for farmers? Are we going to have city government across this province from one end to the other? That's what this sets up, I assure you, and I assure you that there will be other applications and the negotiations will be stalemated. Why wouldn't they? If somebody wants to stalemate negotiations: "It's not enough"—I must say there were occasions when we were negotiating that the area to be included got larger and larger, and that was unfortunate, but certainly it can happen.

Bill 75 proposes to annex to the city of London 65,000 acres from five constituent municipalities of the county of Middlesex. It robs the county of 35% of its commercial and industrial assessment; that's over a third. It's disastrous. It changes the county from a viable county to one that will have a great deal of problem financing its services. It's crippling it. It leaves absolutely no room for any type of growth or expansion, and I'm opposed to it.

One might think that the annexation of all this land may be necessary for the city of London to adequately plan for the future, but this is not the case. We only need to look at the 1988 London Urbanization Study: Final Report to conclude that the amount of land to be arbitrarily given to the city by the minister is unnecessary. In that report, the city only recognized the need for one fifth of what it is actually being awarded by the arbitrator—one fifth.

Mr Bradley: I'm interested in the farm land. How many acres of farm land are being lost?

Mr Eddy: Most of it. The city only requested 12,000 acres. The county and the local municipalities are prepared to give them 24,000; I've had a copy of their signed presentation to the minister. But an arbitrator without municipal experience, who has not heard the people, says it'll be 65,000 acres.

How can anyone agree with Bill 75? It's impossible to agree with it, for several reasons.

All that class 1: What is wrong with having a rural area with a rural council dealing with rural problems? I think that's important to consider.

In the recent submission to the arbitrator, the city only stressed the need for one third of what the arbitrator has awarded. In my opinion, it is ridiculous and arbitrary indeed that a municipality would be granted over three times the amount of land the same municipality deemed necessary.

Why has the minister arrogantly overridden the provisions of the boundary negotiations act and the elected representatives of the municipalities? I don't understand it, but I know that if this passes there will be a reckoning one day—that'll be in approximately three years—and people will have their say one way or another. I know we're going to have hearings, and I pray that when the people make presentations, they will be heard and there will be some changes.

I question what the minister and Mr Brant were thinking. Are these two gentlemen, these two people, more knowledgeable about municipal affairs and the city of London and the county of Middlesex and its local municipalities than their elected councils and the citizens? I think not. The action is arbitrary. It's unilateral. In my opinion it's arrogant, and I firmly believe that.

Another point of great contention in this legislation is the compensation to the county in exchange for the 64,000 acres. I must point out again that the boundary negotiations process was developed as a give and take—"You can have this and we want this in return"—and it has worked well, but now it's all changed.

According to the legislation, the city of London will pay the county \$19.6 million over 10 years. However, in reality the county will receive much less, because the

county is now already getting approximately \$1 million per year for suburban road purposes—and I must point out that it's well and wisely used—because it's a very large county and of course all the roads connect to the city of London, or the city of London to Grand Bend, Lake Huron and the many places the city of London people want. Of course I must say there are many people who wish to go to the city of London because of its large shopping malls, its commercial centres—

The Acting Speaker: Order, please. When Bill 75 next comes to the floor of the Legislature, the honourable member for Brant-Haldimand will have the opportunity of continuing his debate for the duration of the time allotted to him.

It now being 6 of the clock, this House stands adjourned until tomorrow, July 21, at 1:30 of the clock.

The House adjourned at 1800.

ERRATUM

| No. | Page | Column | Line | Should read: |
|-----|------|--------|------|---|
| 53 | 2153 | 1 | 5 | Mr Ron Eddy (Brant-Haldimand): The Minister of Municipal Affairs knows Bill 75 calls for the annexation of |

**LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor/Lieutenant-gouverneur: Lt Col The Hon/L'hon Henry N. R. Jackman CM, KStJ, BA, LLB, LLD

Speaker/Président: Hon/L'hon David Warner

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Clerk Assistant and Clerk of Journals/Greffier adjoint et Greffier des journaux: Alex D. McFedries

Sergeant at Arms/Sergent d'armes: Thomas Stelling

| Constituency | Name of member | Party | Other responsibilities |
|-----------------------|---------------------------|-------|--|
| Algoma | Wildman, Hon/L'hon Bud | ND | Minister of Natural Resources, minister responsible for native affairs/ministre des Richesses naturelles, ministre délégué aux Affaires autochtones |
| Algoma-Manitoulin | Brown, Michael A. | L | Chair, standing committee on general government/ Président du Comité permanent des affaires gouvernementales |
| Beaches-Woodbine | Lankin, Hon/L'hon Frances | ND | Minister of Health, minister responsible for substance abuse strategy/ministre de la Santé, ministre responsable de la Stratégie de prévention de la toxicomanie |
| Brampton North/-Nord | McClelland, Carman | L | Vice-Chair, standing committee on general government/ Vice-Président du Comité permanent des affaires gouvernementales |
| Brampton South/-Sud | Callahan, Robert V. | L | |
| Brant-Haldimand | Eddy, Ron | L | |
| Brantford | Ward, Brad | ND | parliamentary assistant to Minister of Industry, Trade and Technology, responsible for trade and technology/ adjoint parlementaire du ministre de l'Industrie, du Commerce et de la Technologie et délégué au Commerce et à la Technologie |
| Bruce | Elston, Murray J. | L | opposition House leader/ chef parlementaire de l'opposition |
| Burlington South/-Sud | Jackson, Cameron | PC | Chair, standing committee on estimates/ Président du Comité permanent des budgets des dépenses |
| Cambridge | Farnan, Mike | ND | Vice-Chair, standing committee on the Legislative Assembly/ Vice-Président du Comité permanent de l'Assemblée législative |
| Carleton | Sterling, Norman W. | PC | |
| Carleton East/-Est | Morin, Gilles E. | L | Deputy Speaker and Chair of the Committee of the Whole House/ Vice-Président et Président du Comité plénier de l'Assemblée législative |
| Chatham-Kent | Hope, Randy R. | ND | parliamentary assistant to Minister of Community and Social Services/adjoint parlementaire du ministre des Services sociaux et communautaires |
| Cochrane North/-Nord | Wood, Len | ND | parliamentary assistant to Minister of Natural Resources/ adjoint parlementaire du ministre des Richesses naturelles |
| Cochrane South/-Sud | Bisson, Gilles | ND | parliamentary assistant to Minister of Northern Development and Mines, parliamentary assistant to minister responsible for francophone affairs/adjoint parlementaire de la ministre du Développement du Nord et des Mines, adjoint parlementaire du ministre délégué aux Affaires francophones |
| Cornwall | Cleary, John C. | L | |
| Don Mills | Ward, Margery | ND | parliamentary assistant to Minister of Government Services/ adjointe parlementaire du ministre des Services gouvernementaux |
| Dovercourt | Silipo, Hon/L'hon Tony | ND | Chairman of Management Board of Cabinet, Minister of Education/président du Conseil de gestion du gouvernement, ministre de l'Éducation |
| Downsview | Perruzza, Anthony | ND | parliamentary assistant to Minister for Skills Development/ adjoint parlementaire du ministre de la Formation professionnelle |
| Dufferin-Peel | Tilson, David | PC | |
| Durham Centre/-Centre | White, Drummond | ND | Chair, standing committee on regulations and private bills/ Président du Comité permanent des règlements et des projets de loi privés |
| Durham East/-Est | Mills, Gord | ND | parliamentary assistant to Minister of Municipal Affairs/ adjoint parlementaire du ministre des Affaires municipales |
| Durham West/-Ouest | Wiseman, Jim | ND | parliamentary assistant to Minister of Correctional Services/ adjoint parlementaire du ministre des Services correctionnels |
| Durham-York | O'Connor, Lawrence | ND | parliamentary assistant to minister responsible for the greater Toronto area/adjoint parlementaire de la ministre responsable du Bureau de la région du grand Toronto |
| Eglinton | Poole, Dianne | L | |
| Elgin | North, Hon/L'hon Peter | ND | Minister of Tourism and Recreation/ ministre du Tourisme et des Loisirs |
| Essex-Kent | Hayes, Pat | ND | parliamentary assistant to Minister of Agriculture and Food (agriculture)/adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation (agriculture) |

| Constituency | Name of member | Party | Other responsibilities |
|---|---------------------------|-------|--|
| Essex South/-Sud | Mancini, Remo | L | Chair, standing committee on public accounts/ Président du Comité permanent des comptes publics |
| Etobicoke-Lakeshore | Grier, Hon/L'hon Ruth A. | ND | Minister of the Environment, minister responsible for the greater Toronto area/ministre de l'Environnement, ministre responsable du Bureau de la région du grand Toronto |
| Etobicoke-Humber | Henderson, D. James | L | |
| Etobicoke-Rexdale | Phillip, Hon/L'hon Ed | ND | Minister of Industry, Trade and Technology/ ministre de l'Industrie, du Commerce et de la Technologie |
| Etobicoke West/-Ouest | Stockwell, Chris | PC | |
| Fort William | McLeod, Lyn | L | Leader of the Opposition/chef de l'opposition |
| Fort York | Marchese, Rosario | ND | parliamentary assistant to the Premier, parliamentary assistant to Minister of Intergovernmental Affairs/adjoint parlementaire du premier ministre, adjoint parlementaire du ministre des Affaires intergouvernementales |
| Frontenac-Addington | Wilson, Hon/L'hon Fred | ND | Minister of Government Services/ ministre des Services gouvernementaux |
| Grey | Murdoch, Bill | PC | |
| Guelph | Fletcher, Derek | ND | parliamentary assistant to Minister of Consumer and Commercial Relations/adjoint parlementaire de la ministre de la Consommation et du Commerce |
| Halton Centre/-Centre | Sullivan, Barbara | L | |
| Halton North/-Nord | Duignan, Noel | ND | Chair, standing committee on the Legislative Assembly/ Président du Comité permanent de l'Assemblée législative |
| Hamilton Centre/-Centre | Christopherson, David | ND | parliamentary assistant to Treasurer of Ontario and Minister of Economics/adjoint parlementaire du Trésorier de l'Ontario et du ministre de l'Économie |
| Hamilton East/-Est | Mackenzie, Hon/L'hon Bob | ND | Minister of Labour/ministre du Travail |
| Hamilton Mountain | Charlton, Hon/L'hon Brian | ND | Minister of Financial Institutions, acting Minister of Energy/ ministre des Institutions financières, ministre de l'Énergie par intérim |
| Hamilton West/-Ouest | Allen, Hon/L'hon Richard | ND | Minister of Colleges and Universities, Minister of Skills Development/ministre des Collèges et Universités, ministre de la Formation professionnelle |
| Hastings-Peterborough | Buchanan, Hon/L'hon Elmer | ND | Minister of Agriculture and Food/ ministre de l'Agriculture et de l'Alimentation |
| High Park-Swansea | Ziemba, Hon/L'hon Elaine | ND | Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations/ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales |
| Huron | Klopp, Paul | ND | parliamentary assistant to Minister of Agriculture and Food (food)/ adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation (alimentation) |
| Kenora | Miclash, Frank | L | opposition deputy whip/whip adjoint de l'opposition |
| Kingston and The Islands/ Kingston et Les Îles | Wilson, Gary | ND | parliamentary assistant to Minister of Culture and Communications/ adjoint parlementaire de la ministre de la Culture et des Communications |
| Kitchener | Ferguson, Will | ND | |
| Kitchener-Wilmot | Cooper, Mike | ND | deputy government whip; Chair, standing committee on administration of justice/whip adjoint du gouvernement, Président du Comité permanent de l'administration de la justice |
| Lake Nipigon/Lac-Nipigon | Pouliot, Hon/L'hon Gilles | ND | Minister of Transportation, minister responsible for francophone affairs/ministre des Transports, ministre délégué aux Affaires francophones |
| Lambton | MacKinnon, Ellen | ND | Vice-Chair, standing committee on regulations and private bills/ Vice-Présidente du Comité permanent des règlements et des projets de loi privés |
| Lanark-Renfrew | Jordan, W. Leo | PC | |
| Lawrence | Cordiano, Joseph | L | Vice-Chair, standing committee on public accounts/ Vice-Président du Comité permanent des comptes publics |
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| Lincoln | Hansen, Ron | ND | Chair, standing committee on finance and economic affairs/ Président du Comité permanent des finances et des affaires économiques |
| London Centre/-Centre | Boyd, Hon/L'hon Marion | ND | Minister of Community and Social Services, minister responsible for women's issues/ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine |
| London North/-Nord | Cunningham, Dianne | PC | Progressive Conservative chief whip/ whip en chef du Parti progressiste-conservateur |

| Constituency | Name of member | Party | Other responsibilities |
|---|--------------------------------|-------|---|
| London South/-Sud | Winninger, David | ND | parliamentary assistant to Attorney General, parliamentary assistant to minister responsible for native affairs/adjoint parlementaire du Procureur général, adjoint parlementaire du ministre délégué aux Affaires autochtones |
| Markham | Cousens, W. Donald | PC | |
| Middlesex | Mathysen, Irene | ND | parliamentary assistant to Minister of the Environment/ adjointe parlementaire de la ministre de l'Environnement |
| Mississauga East/-Est | Sola, John | L | |
| Mississauga North/-Nord | Offer, Steven | L | |
| Mississauga South/-Sud | Marland, Margaret | PC | Vice-Chair, standing committee on estimates/ Vice-Présidente du Comité permanent des budgets des dépenses |
| Mississauga West/-Ouest | Mahoney, Steven W. | L | chief opposition whip/whip en chef de l'opposition |
| Muskoka-Georgian Bay | Waters, Daniel | ND | parliamentary assistant to Minister of Tourism and Recreation; Vice-Chair, standing committee on resources development/ adjoint parlementaire du ministre du Tourisme et des Loisirs, Vice-Président du Comité permanent du développement des ressources |
| Nepean | Daigeler, Hans | L | Vice-Chair, standing committee on social development/ Vice-Président du Comité permanent des affaires sociales |
| Niagara Falls | Harrington, Margaret H. | ND | parliamentary assistant to Minister of Housing/ adjointe parlementaire de la ministre du Logement |
| Niagara South/-Sud | Coppen, Hon/L'hon Shirley | ND | Minister without Portfolio, chief government whip/ ministre sans portefeuille, whip en chef du gouvernement |
| Nickel Belt | Laughren, Hon/L'hon Floyd | ND | Deputy Premier, Treasurer of Ontario and Minister of Economics/ vice-premier ministre, Trésorier de l'Ontario et ministre de l'Économie |
| Nipissing | Harris, Michael | PC | leader of the Progressive Conservative Party/ chef du Parti progressiste-conservateur |
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| Northumberland | Fawcett, Joan M. | L | |
| Oakville South/-Sud | Carr, Gary | PC | |
| Oakwood | Rizzo, Tony | ND | |
| Oriole | Caplan, Elinor | L | |
| Oshawa | Pilkey, Hon/L'hon Allan | ND | Solicitor General, Minister of Correctional Services/ Solliciteur général, ministre des Services correctionnels |
| Ottawa Centre/-Centre | Gigantes, Hon/L'hon Evelyn | ND | Minister of Housing/ministre du Logement |
| Ottawa East/-Est | Grandmaitre, Bernard C. | L | |
| Ottawa-Rideau | O'Neill, Yvonne | L | |
| Ottawa South/-Sud | McGuinty, Dalton J.P. | L | |
| Ottawa West/-Ouest | Chiarelli, Robert | L | |
| Oxford | Sutherland, Kimble | ND | parliamentary assistant to Chairman of Management Board of Cabinet; Vice-Chair, standing committee on finance and economic affairs/ adjoint parlementaire du président du Conseil de gestion du gouvernement, Vice-Président du Comité permanent des finances et des affaires économiques |
| Parkdale | Ruprecht, Tony | L | |
| Parry Sound | Eves, Ernie | PC | Progressive Conservative House leader/ chef parlementaire du Parti progressiste-conservateur |
| Perth | Haslam, Hon/L'hon Karen | ND | Minister of Culture and Communications/ ministre de la Culture et des Communications |
| Peterborough | Carter, Jenny | ND | parliamentary assistant to Minister of Citizenship, responsible for human rights, disability issues, seniors' issues and race relations/ adjointe parlementaire de la ministre des Affaires civiles, déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales |
| Port Arthur | Wark-Martyn, Hon/L'hon Shelley | ND | Minister of Revenue/ministre du Revenu |
| Prescott and Russell/ Prescott et Russell | Poirier, Jean | L | |
| Prince Edward-Lennox-South Hastings/ Prince-Edward- Lennox-Hastings-Sud | Johnson, Paul R. | ND | parliamentary assistant to Minister of Revenue/ adjoint parlementaire de la ministre du Revenu |
| Quinte | O'Neil, Hugh P. | L | |
| Rainy River | Hampton, Hon/L'hon Howard | ND | Attorney General/Procureur général |
| Renfrew North/-Nord | Conway, Sean G. | L | Deputy Leader of the Opposition/chef adjoint de l'opposition |
| Riverdale | Churley, Hon/L'hon Marilyn | ND | Minister of Consumer and Commercial Relations/ ministre de la Consommation et du Commerce |
| S-D-G & East Grenville/ S.-D.-G. & Grenville-Est | Villeneuve, Noble | PC | Second Deputy Chair of the Committee of the Whole House/ Deuxième Vice-Président du Comité plénier de l'Assemblée législative |

| Constituency | Name of member | Party | Other responsibilities |
|--|----------------------------------|-------|--|
| St Andrew-St Patrick | Akande, Zanana | ND | parliamentary assistant to the Premier |
| St Catharines | Bradley, James J. | L | |
| St. Catharines-Brock | Haeck, Christel | ND | government whip; Vice-Chair, standing committee on the Ombudsman/ whip du gouvernement, Vice-Présidente du Comité permanent de l'ombudsman |
| St. George-St. David | Scott, Ian G. | L | |
| Sarnia | Huget, Bob | ND | parliamentary assistant to acting Minister of Energy/ adjoint parlementaire du ministre de l'Énergie par intérim |
| Sault Ste Marie/ Sault-Sainte-Marie | Martin, Tony | ND | parliamentary assistant to Minister of Education/ adjoint parlementaire du ministre de l'Éducation |
| Scarborough-Agincourt | Phillips, Gerry | L | |
| Scarborough Centre/-Centre | Owens, Stephen | ND | parliamentary assistant to Minister of Financial Institutions/ adjoint parlementaire du ministre des Institutions financières |
| Scarborough East/-Est | Frankford, Robert | ND | |
| Scarborough-Ellesmere | Warner, Hon/L'hon David | ND | Speaker/Président |
| Scarborough North/-Nord | Curling, Alvin | L | opposition deputy whip/whip adjoint de l'opposition |
| Scarborough West/-Ouest | Swarbrick, Anne | ND | |
| Simcoe Centre/-Centre | Wessenger, Paul | ND | parliamentary assistant to Minister of Health/ adjoint parlementaire de la ministre de la Santé |
| Simcoe East/-Est | McLean, Allan K. | PC | Vice-Chair, standing committee on government agencies/ Vice-Président du Comité permanent des organismes gouvernementaux |
| Simcoe West/-Ouest | Wilson, Jim | PC | |
| Sudbury | Murdock, Sharon | ND | parliamentary assistant to Minister of Labour/ adjointe parlementaire du ministre du Travail |
| Sudbury East/-Est | Martel, Hon/L'hon Shelley | ND | Minister of Northern Development and Mines/ ministre du Développement du Nord et des Mines |
| Timiskaming | Ramsay, David | L | |
| Victoria-Haliburton | Drainville, Dennis | ND | First Deputy Chair of the Committee of the Whole House/ Premier Vice-Président du Comité plénier de l'Assemblée législative |
| Waterloo North/-Nord | Witmer, Elizabeth | PC | |
| Welland-Thorold | Kormos, Peter | ND | Chair, standing committee on resources development/ Président du Comité permanent du développement des ressources |
| Wellington | Arnott, Ted | PC | |
| Wentworth East/-Est | Morrow, Mark | ND | Chair, standing committee on the Ombudsman; Vice-Chair, standing committee on administration of justice/ Président du Comité permanent de l'ombudsman, Vice-Président du Comité permanent de l'administration de la justice |
| Wentworth North/-Nord | Abel, Donald | ND | government whip/whip du gouvernement |
| Willowdale | Harnick, Charles | PC | |
| Wilson Heights | Kwinter, Monte | L | |
| Windsor-Riverside | Cooke, Hon/L'hon David | ND | Minister of Municipal Affairs, government House leader/ ministre des Affaires municipales, chef parlementaire du gouvernement |
| Windsor-Sandwich | Dadamo, George | ND | parliamentary assistant to Minister of Transportation/ adjoint parlementaire du ministre des Transports |
| Windsor-Walkerville | Lessard, Wayne | ND | parliamentary assistant to Minister of Colleges and Universities/ adjoint parlementaire du ministre des Collèges et Universités |
| York Centre/-Centre | Sorbara, Gregory S. | L | |
| York East/-Est | Malkowski, Gary | ND | parliamentary assistant to Minister of Citizenship, responsible for human rights, disability issues, seniors' issues and race relations/ adjoint parlementaire de la ministre des Affaires civiques, déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales |
| York Mills | Turnbull, David | PC | |
| York North/-Nord | Beer, Charles | L | Chair, standing committee on social development/ Président du Comité permanent des affaires sociales |
| York South/-Sud | Rae, Hon/L'hon Bob | ND | Premier, President of the Executive Council, Minister of Intergovernmental Affairs/premier ministre, président du Conseil des ministres, ministre des Affaires gouvernementales |
| Yorkview | Mammoliti, George | ND | parliamentary assistant to minister responsible for substance abuse strategy/adjoint parlementaire de la ministre responsable de la Stratégie de prévention de la toxicomanie |

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Clerk/Greffière: Lynn Mellor

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Second Session, 35th Parliament

Official Report of Debates (Hansard)

Tuesday 21 July 1992

Assemblée législative de l'Ontario

Deuxième session, 35^e législature

Journal des débats (Hansard)

Mardi 21 juillet 1992



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 21 July 1992

The House met at 1332.

Prayers.

MEMBERS' STATEMENTS

COLLECTIVE BARGAINING LEGISLATION

Mrs Elinor Caplan (Oriole): Mr Speaker, on July 16, 1992, the New Democratic Party government again demonstrated that the NDP's definition of consultation is to hear only that which it wishes to hear, rather than solicit opinion or actually listen. They prefer to inform those affected after a decision has already been made.

I am referring to the government's proposed changes to the Crown Employees Collective Bargaining Act. It was last year, June 1991, that the government began its so-called consultation process that was supposed to obtain opinions and comments from those who are affected by the proposed NDP legislation. It was not until July 16 of this year that public servants who will be affected by this new act were brought together to hear the government's plans with respect to their new status within Ontario's public service. Needless to say, these civil servants are angry at the way they have been treated. They don't want to be shoved into OPSEU; they want to be consulted.

It's clear that the NDP government is there not to inform, not to consult, but to tell them what's going to happen. The proposed changes to the legislation are just a sellout of the excluded employees to OPSEU in exchange for a 1% wage settlement last year. The government is selling out these excluded workers to OPSEU for political gain, not to improve things for the 25% not covered by the present act.

These proposed changes show that the government is not interested in consultation, and the minister, the Chairman of Management Board, is acting like a tinpot dictator.

ONTARIO PRODUCE

Mr Chris Stockwell (Etobicoke West): A couple of weeks ago I was contacted by the owner of a restaurant in my riding who was very upset with what he considered government waste. He received in the mail a large, expensive folder from the Ministry of Agriculture and Food with information from Foodland Ontario about Ontario fruits and vegetables. He explained that this information was of no use to him as, quite simply, he buys Ontario produce only when it is better priced and of a better quality.

He does not need Foodland Ontario to tell him, for instance, that Ontario apples are available every month except July and that Ontario asparagus is available in April, May and June. He buys what's fresh and what's good and, wonder of wonders, in April, May and June, he indeed buys Ontario asparagus. That's the best and that's why he buys it. He was angry that his hard-earned tax dollars are being spent on sending this unsolicited information to all restaurants in Ontario.

He was even angrier two weeks later when he received a card telling him there was a package at the post office. He took time from his busy day and picked up what was the second of the ministry's mailings. The elaborate book was equally useless to him. He was annoyed he had to go out of his way to pick it up.

I'm sure the ministry feels every restaurateur couldn't possibly run his business without information, but I would suggest that a much better method would be to produce a list of publications available and allow people to request only what they find useful.

Along with my restaurateur friend, I believe this program is a complete waste of taxpayers' money. As you can see, it must take a few bucks for every restaurant; a colossal waste.

APPRECIATION

Mrs Ellen MacKinnon (Lambton): It is with a heart full of feeling that I rise today to thank you, Mr Speaker, and my colleagues of the government side of this House, and to extend my gratitude to members of the parties opposite, my constituents of Lambton county and others from across the province for the expressions of sympathy, support and contributions shown and given to me and my family during our recent bereavement.

It has been said there is nothing worse than the death of one's child. I have to believe it is true. The kindness, love and understanding so freely given will assist us immensely to begin the healing process.

I would be remiss if I did not take a moment to say a very special thanks to my staff, Mrs Fran Portis and Mr Wayne Beaton, for their service above and beyond the call of duty. All members know how hard it can be to acquire good staff. I'm so fortunate because I have found the best.

Again, thank you to all for the assistance. I wish to assure the residents of Lambton county I am back, willing to take up the challenges that lie ahead. Thank you all very much from the bottom of my heart.

WOMEN'S ISSUES

Mrs Yvonne O'Neill (Ottawa-Rideau): I rise this afternoon to express my concern about this government and specifically the Minister of Correctional Services' unfair and ineffective actions on behalf of the women of this province. On at least two occasions this minister and this government have made it difficult for women to have their rights recognized.

First, this government has repeatedly denied the requests for access to personal files containing medical history and other information by the survivors of the Grandview Training School for Girls, even though very similar information has been released to male victims in previous Ontario and Canadian cases.

Then, in the latest controversy surrounding the Minister of Correctional Services, the female staff of his ministry have not felt they have the necessary support and

security to bring serious complaints of sexual harassment and/or assault to the attention of this minister or those in authority within the Ministry of Correctional Services.

This developing pattern of ignoring the rights of women is seriously disturbing. NDP media events on sexual harassment and campaigns without implementation are not good enough for the women of Ontario.

1340

MPP CHALLENGE RACE

Mr Bill Murdoch (Grey): I would like to remind all members of this House of the Bill Murdoch MPP Challenge Race this Friday evening at the Varney Speedway near Durham.

Spectators can expect to be awed and impressed with the inspired driving of such well-known speedsters as the Attorney General, the Minister of Agriculture and Food and the Minister of Government Services. They will witness, and quite possibly be frightened by, the fearless driving of the members from Etobicoke West, Kitchener-Wilmot, Scarborough-Agincourt, Halton Centre and Durham-York. They will thrill to the antics of the members from Downsview, Yorkview, Kitchener, Huron, Brampton North and Brant-Haldimand. They will hide their eyes after they see the members for Muskoka-Georgian Bay, Northumberland, Scarborough North, Cambridge, Guelph and Norfolk perilously edging each other out of the way.

I am sure that those watching will enjoy seeing all participants driving six-cylinder WOW—women on wheels—class vehicles, which have been donated by the track's registered female members. They will also appreciate the efforts of Doreen Watson of the Varney Speedway, who organizes events and who has kindly agreed to let members showcase their talents.

I would personally like to thank all members for their interest and enthusiasm in what promises to be a very exciting evening. I wish them all success and I trust they will enjoy their time at the track as well as a visit to the scenic, friendly hospitality of the county of Grey.

ST PATRICK SCHOOL

Mr George Dadamo (Windsor-Sandwich): It gives me great pleasure today to acknowledge a precedent-setting achievement by a dedicated group of parents in my riding, a group of parents who banded together and fought against the closing of their children's school, this being St Patrick's on Totten Street in Windsor.

For well over one year, the parents of St Patrick's students tried in vain to get their school board to recognize it had made a mistake and that St Patrick's was a poor choice to close. The parents also felt the area was growing and enrolment would climb in the coming years, that this school should remain open and the decision to close St Patrick's without notification of the parents went against its own policy guidelines as well as the Education Act.

The court decision which was made in favour of the parents of St Patrick's pupils last Monday will be a landmark ruling for other communities to follow throughout the province of Ontario. Further, I would be remiss if I didn't point out some of the key players during the tiring

years of meetings in kitchens and in church basements. I admire much the indefatigable work of Ermanna Felice, Paul Bezaire, Paul Maini and also Vito Campanaro.

But I must also congratulate the hard efforts of all the families in this neighbourhood for endless hours and dedication. Their energy and direction were the major reasons for the success of this court battle. I'm sure their example will encourage others who feel strongly about community issues to stand firmly for their rights.

SEXUAL ASSAULT

Ms Dianne Poole (Eglinton): As Liberal critic for women's issues I am disappointed and deeply dismayed by the way this NDP government has responded to the sexual assaults and harassment of women.

First we have the serious incidents at Bell Cairn. Marion Boyd, the minister responsible for women's issues, suggested that the victims of sexual assault had to come forward before these unsubstantiated rumours could be investigated. What a reaction: The minister responsible for women's issues blaming the victims. Strike one.

This was compounded when the Minister for Correctional Services stated he could understand why no one reported the allegations to him since the women were unwilling to come forward. Another NDP minister blaming the victims. Strike two.

This reaction is such an irony coming from the same NDP government which in its campaign against sexual assault constantly stressed that society has to stop blaming the victims. Then we have the case of the Minister of Tourism and Recreation, Peter North, who when asked about sexual assaults at Ontario Place and Old Fort William, swore: "I wasn't aware. I am now. I hadn't heard of this, honest to God." You won't believe this, but this very morning I received a press release where the minister admits he was notified of the Old Fort William assault on May 11 and of the Ontario Place assault on July 15.

How can women trust this NDP minister who considers sexual assault to be so unimportant that he forgot he'd been told of these serious charges? Strike three, you're out.

RACE RELATIONS

Mr Cameron Jackson (Burlington South): Ontario citizens are alarmed at the ideological agenda underlying the June 9 Stephen Lewis race relations report, which they fear will create even more racial problems and could add significantly to existing community tensions.

Many have contacted me, partly in response to an article by Lorrie Goldstein in the Toronto Sun on July 14, to state their disgust with the Lewis report's implication that they are racist while the NDP seeks an exemption under the Ontario Human Rights Code for its Bill 79, the Employment Equity Act.

One person from Guelph wrote to me to say, "A piece of legislation that purports to grant legal sanction to government-mandated discrimination on the basis of race is outrageous and does not deserve to see the light of day."

A University of Toronto professor wrote, "Books could be written on why this de facto quota bill should not go forward."

My colleagues and I in the Ontario PC caucus oppose this socially divisive NDP scheme. As the party that brought in one of the most progressive human rights codes in North America, we cannot support any legislation that would selectively remove the protection under our Human Rights Code for any group of Ontarians.

The public would like politicians to stop being intimidated into politically correct positioning but rather to seek the courage to find answers to this problem that can lead to the path of societal healing that the people of Ontario have been capable of historically and are able to achieve today.

BILL POWELL

Mr David Christopherson (Hamilton Centre): I rise to pay tribute to an outstanding Hamiltonian and community leader. As members will know, former Hamilton mayor Bill Powell suffered a heart attack and passed away yesterday.

Bill Powell has been a leading political fixture on the Hamilton scene. Mr Powell served as an alderman from 1960 to 1970 and served as our mayor from 1980 to 1982. But his contributions to Hamilton didn't stop with politics. Mr Powell was cofounder of the Steelworkers union at Stelco and a strong environmentalist. He was chairman of the Hamilton Region Conservation Authority in 1970, fighting for the environment long before it was fashionable.

To say that Mr Powell was an active member in our community is an understatement. I am sure there isn't a single Hamiltonian who has not been touched by the service and life of Bill Powell.

On behalf of my Hamilton colleagues and all members of the Legislature, I extend my sincere condolences to his wife, Rose, and deepest sympathy to the entire Powell family. We share in their sadness today at the loss of Bill Powell but rejoice at the great contribution his remarkable life has made to our city.

TIME ALLOCATION

The Speaker (Hon David Warner): Yesterday the member for York Centre, Mr Sorbara, raised a point of order concerning government notice of motion 13, which seeks to invoke standing order 44a in order to allocate no time to third reading of Bill 150. The member for Parry Sound, Mr Eves, the member for Bruce, Mr Elston, the member for Carleton, Mr Sterling, and the government House leader, Mr Cooke, also made submissions to the point of order.

When a point of order is raised in this chamber, the Chair is entitled to rule on it at that time or to reserve a ruling. In yesterday's case, the Chair reserved a ruling, and this has afforded me an opportunity to reflect on the submissions that were made. Having reviewed yesterday's Hansard together with House precedents and various parliamentary authorities, I'm now ready to make a ruling.

The member for York Centre referred to the practice in the House of Commons at Ottawa where standing order 78(3) states that a time allocation motion cannot specify less than one day's debate for the consideration of any one stage of a bill. The member also quoted citation 533 of the sixth edition of Beauchesne to the effect that "Time allocation

is a device for planning the use of time during the various stages of consideration of a bill rather than bringing the debate to an immediate conclusion."

However, it is important for all members to know that Ottawa has had many years' experience with time allocation motions. In fact, such motions have been a part of Ottawa's standing orders in one form or another since 1965. By contrast, time allocation motions were first recognized in our chamber in 1982, and have been a part of our standing orders for less than three weeks. Moreover, the notice of motion that is the subject of this ruling is only the second one to have appeared on our Orders and Notices paper since standing order 44a came into force on July 3 of this year.

1350

There are other distinctions between the practice in Ottawa and our own. Ottawa's standing order 78(3) does not require written notice; it does not require debate on the motion; it specifies that the question is put immediately after the motion is put, and it requires at least one day's debate on the stage of the bill that is under consideration. By contrast, our standing order requires written notice and a full day's debate on the motion, and it makes no mention of a minimum time requirement for third reading debate on a bill.

There was some mention yesterday about whether previous time allocation motions in this House have ever provided that the question on a certain stage of the legislative process be put forthwith without debate or amendment. I have reviewed the time allocation motions that have been moved in this chamber since 1982, and I have found that eight of them contained just such a provision with respect to the adoption of a report of a standing committee, the adoption of a report of the committee of the whole House, or both.

With respect to the comparisons that were made yesterday between standing order 44a and standing order 45, I must say that they are two very different standing orders and that they have different applications. A closure motion under standing order 45 can be moved without notice, it can be moved by any member of the House and it is non-debatable. By contrast, a time allocation motion under standing order 44a can be moved only by a government minister and upon written notice, and it is debated for one day.

I want to make some additional remarks about closure motions under standing order 45. Such motions are generally known as the "previous question" in many other parliamentary jurisdictions. Indeed, they used to be known by that name in this chamber until the 1986 standing orders changed the name to "closure" because members commonly referred to it by that name. But the change should not obscure the fact that if a motion under standing order 45 were successfully moved while an amendment was on the floor of the House, the result would be that the amendment would be lost and the question would be immediately put on the main question. That's the full nature of standing order 45.

Moreover, standing order 44a does provide a certain measure of balance when a time allocation motion is

moved. For example, the standing order does not require that the motion provide for a minimum period of debate at third reading of a bill, but it does require that the motion cannot be moved at second reading until there's been at least three days' debate at that stage.

I can appreciate that yesterday's notice of motion may have surprised some members by virtue of the fact that it calls for no time to debate third reading of Bill 150. In this regard, I want to quote from the 21st edition of Erskine May's Parliamentary Practice, which states the following at page 409:

Time allocation motions "may be regarded as the extreme limit to which procedure goes in affirming the rights of the majority at the expense of the minorities of the House, and it cannot be denied that they are capable of being used in such a way as to upset the balance, generally so carefully preserved, between the claims of business and the rights of debate."

In closing, then, government notice of motion 13, while it may appear drastic, does comply with standing order 44a as it presently stands and is therefore in order.

I thank all members for their submissions, and in particular the member for York Centre for his written submission.

Mr Gregory S. Sorbara (York Centre): On a point of order, Mr Speaker: I appreciate the reasons you've given for your determination in this matter. I simply want to remind you that the effect of your decision on new standing order 44a is that after three days of debate on second reading of a bill or any other substantive matter in this House, the government now has vested within itself the power to take that substantive matter, whether a bill or a motion, through every other stage of consideration without any debate whatsoever.

I sincerely regret that in your view the standing order and the government notice of motion yesterday are valid. We will continue to fight this. We will consider motions of censure or whatever else we need to do in order to return to the opposition the right and the ability to substantively debate motions and bills in this House.

Mr Ernie L. Eves (Parry Sound): I realize I cannot challenge the Speaker's ruling, but I do want to get on the record that I think this is a sad day indeed for democracy in the province of Ontario. I can tell you that when a government House leader can now cut off debate in the middle of one member's speech and have a vote—I don't care what you want to call it; I call it closure or guillotine—it's a sad day indeed.

The Speaker: To both the member for York Centre and the member for Parry Sound, I indeed fully understand the concerns they've raised. As the members may have noticed, in succinct terms, it is a drastic measure but it is in order. There is nothing out of order.

Statements by ministers? It is time for oral questions.

Mr Murray J. Elston (Bruce): On a point of order, Mr Speaker: You have just said something which is very telling with respect to the manner in which you have just ruled. You said it's a very drastic measure. It indicates to me quite clearly that you don't fully believe there has been

ample time in this chamber to do anything about the debate on this bill.

Mr Speaker, there is one overriding consideration that you always have, and as a result of your having been the first elected Speaker in this Parliament ever, it seems to me you have a duty to carry out your responsibility to all members to ensure that at each stage of debate there is ample time for them to put their information on the record. It seems to me that no matter what the standing orders say, you cannot be taken out of your chair, you cannot lose your discretion to safeguard the right of freedom of speech in this democracy.

I ask you again to look at what you have just brought into this House as a result of a literal reading of new standing order 44a and ask yourself and report to this House whether you now have been removed from your chair with respect to the discretion to protect the minority here in this Parliament.

The Speaker: Briefly, to the member for Bruce, the Speaker does not have the latitude to circumvent the standing orders. The standing orders were changed. This matter was thoroughly researched and indeed, as unhappy as some members may be, the motion put was entirely in order.

It is time for oral questions.

Mr Norman W. Sterling (Carleton): On a point of privilege, Mr Speaker: Last Thursday I had the opportunity to speak on Bill 150 for approximately 15 minutes. No other member of my party had an opportunity to speak on Bill 150. I believe my privileges as a member of this Legislature to speak on legislation have been abused by your ruling. Will I be able to complete my remarks on Bill 150?

The Speaker: We are not currently debating Bill 150. I can only tell the member that, whatever happened yesterday, there was a motion put and a ruling reserved. The matter has been thoroughly researched and I have delivered my ruling.

It is time to move on with oral questions. The official opposition, the member for Scarborough-Agincourt.

Mr Sterling: On the same point of privilege, Mr Speaker: I asked you whether or not my privileges are being abridged by the fact that I am unable to speak in this Legislature on a piece of legislation for which I am the critic of this party.

The Speaker: No, the member does not have a point of privilege, not as a result of a ruling.

1400

ORAL QUESTIONS

MINISTRY TRAINING SCHOOL

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Minister of Correctional Services. The Premier yesterday said that the government will be judged on the basis of the action it took once it found out about the problem. I would say that you'll also be judged, Premier, on the competence of the ministers you've appointed and their ability, in our judgement, to have anticipated this problem and to have headed it off. The question is to the

Minister of Correctional Services. It's your competence, Minister, that's at stake here.

Yesterday you said in the Legislature, "My policy assistant attends management meetings and was not advised of the particular circumstances regarding Bell Cairn."

My question is a very clear one to you. Your policy assistant attends those management meetings. Those management meetings take place on a weekly basis involving the senior management at Bell Cairn. Can you tell the House, was your policy assistant present when the issue of Bell Cairn was raised at any time from September until July at those management meetings?

Hon Allan Pilkey (Solicitor General and Minister of Correctional Services): My answer has been very clear with respect to the notification of myself or my staff, in that we were not informed.

Mr Phillips: Your policy assistant was at those management meetings, and I assume the minister said that the senior management—the deputy, the assistant deputy ministers and the other staff at those meetings—during the course of nine months never, ever discussed at their weekly management meetings the Bell Cairn incident. It was never, ever raised at the weekly management meetings.

Hon Mr Pilkey: I'm indicating that neither I nor my staff were ever made aware of this particular problem, nor were we in the more recent senior management gathering held by the deputy with respect to this matter. At no time were we advised or seized with that information. The opposition knows what I have done since being made aware of the information, which I think is a very responsible action.

Mr Phillips: We're all aware of the action that's taken place since the incident. That's not the issue. The issue is your competence and why in the world you could possibly, when it's happening right under your nose for 10 months, a series of incidents involving your entire ministry—you are telling us, and the work of the judge will indicate this, that the management committee never once during those nine months ever discussed the problem at Bell Cairn. At your weekly management meeting, involving all of your senior staff, the record will show that they never, ever once during those nine months discussed the most significant, serious problem within their ministry. You're assuring the House today that that never took place at the weekly management meetings for nine months.

Hon Mr Pilkey: I have indicated, I think very clearly, that this item was not discussed with my staff or in the presence of my staff at those meetings. I simply want to add that there were memos between staff, and I have released those today and I've released other covering letters. The members and those who care to review them will understand that the information I have been telling them now since last week is accurate. They were not funnelled up through the channels to the minister in this particular case.

I want to tell you that the matter is a very serious one. It is one I have acted on with great diligence. I have taken three particular actions, as the members know: first, to

commence a police investigation into the matter so perpetrators of any alleged crimes can be dealt with; second, the closing of the centre; and third, the appointment of Judge Hansen. I believe, with the release of the documents today, it will now be up to Judge Hansen to shed additional light on this matter, which I think will be very clear and descriptive.

Mr Ian G. Scott (St George-St David): I have a question for the Premier that arises out of the same incident. I want to make clear the position of the opposition. We are not concerned with or objecting to the steps your minister has taken since this matter was brought to his attention, apparently, and the attention of the House by the honourable member for Leeds-Grenville last week. We're not complaining about those steps. What we're concerned about is that this facility opened in August of last year, and it is apparent from the material released today that within a month, and consistently for the succeeding 10 months, there was a pattern of harassment and sexual harassment that the Premier yesterday conceded raised concerns about systemic harassment in the correctional service.

Not only was this going on for virtually 10 months but there was a flood of memos, up to the deputy minister's level at least, from all kinds of supervisors and managers who were aware of it and who were discussing it. When it was brought to the attention of the House, with respect particularly to the culminating incident on June 15, the minister said neither he nor, he believed, his staff had any knowledge of it.

The question that is now presented arises out of the deputy minister's letter in which she says she had not yet advised the minister or his staff about the events of June 15. The Premier has conducted an investigation through Mr Barnes. Will he let us know what the deputy minister's position is on this question? Did she alert any of the political staff of the minister or the minister himself about the events that arose over the preceding 10 months at any time before July 1, or did she keep everything that happened for a year secret from the minister, the political staff and the Premier's office?

Hon Bob Rae (Premier and Minister of Intergovernmental Affairs): The minister's answers make that clear. The documents which have been released and the deputy minister's statements make things clear in that regard. Judge Hansen has now been appointed to do a job. There's a police investigation going on. All the documents have been released. We've released every piece of information we can with respect to the freedom of information and privacy matters.

With respect to the honourable member's comments, he knows as well as I do that if there is a systemic problem in corrections or in any part of the government or in any part of our society, it's hardly realistic to think it started on September 7, 1990. Let's get real here about what we're talking about. The information has been shared fully with the House. Every statement the minister has made has been entirely upfront. With respect to particular problems at Bell Cairn and the particular incidents in question, he was not advised and not informed, and that information has been confirmed by the deputy minister.

Mr Scott: The Premier's response to this problem, which we all agree is a serious one not only in terms of sexual harassment but in terms of the administration of the ministry, exhibits a real sensitivity about his minister and what's been going on here. It isn't often Bob Rae turns into an attack dog, but when he does you know he's worried about something, and so are we.

The reality here is we have had 10 months of problems which have now come to the surface. In his own defence the minister has said: "For that whole 10-month period I never heard about anything. I went to the opening at Bell Cairn and never heard it mentioned again." The deputy has said, "It is true I didn't tell him about June 15." The Premier has now directed an investigation conducted by Mr Barnes. He has told the press that the report is on his desk.

What we want to know is, first, can we see Mr Barnes's report? I know we won't see it because it would be incriminating. If not, why not? Second, will he tell the deputy's side of the story? Did she discuss with the minister or his staff, before the events of June 15, what had been happening at Bell Cairn for 10 months?

Hon Mr Rae: The answer to the second part of the question is, certainly not as far as I've been made aware by any document or any discussion that I've had.

The report that you have before you is the report that Mr Barnes presented to me. There is no written report by Mr Barnes. There is this report, which essentially is a compilation of documents which I asked him to provide. There is no written document from Mr Barnes in this regard.

1410

As soon as I have these documents and as soon as they have been cleared through freedom of information and other areas, what we also have done is ask Judge Hansen to give us an independent review of what has taken place.

Those are the steps we've taken. They're very clear. The minister was not advised. Information was not provided to the minister that in my view should have been provided to him and that in my view should have been provided to others as well. That's the position of this government, that's the position of this minister, and that's where we are today.

Mr Scott: The Premier is dissembling, with the greatest respect. If that is unparliamentary, I withdraw it.

The deputy minister, an experienced bureaucrat of 20 years, has given a report to the principal secretary that answers one narrow question: "I did not tell the minister about the events of June 15 because I hadn't prepared the full dossier." She does not respond to the general question, which is, did she discuss with him or his staff any of the events of the intervening 10 months for which this was the culminating incident? It is critical that she has not fortified the minister's response on that question. When are you going to let her answer the question that this House and the public want to know?

I ask the question not merely out of curiosity. Yesterday, in answering a question of mine, the Premier was very clear and anxious to leave open this proposition: that politics may have played a part. He says this in answering my question: "I am not satisfied that at the political level this

government was not made aware." Leaving the double negative aside for the moment, that suggests that the Premier is leaving open the prospect that there was political awareness of these issues over the previous 10 months.

Mr James J. Bradley (St Catharines): It's in Hansard.

Mr Scott: It's in Hansard. Mr Barnes not having made a written report, the only way this question can be resolved is if the Premier will ask the deputy minister whether she discussed with the minister or his aides the Bell Cairn problems over the previous 10 months, yes or no.

Hon Mr Rae: First of all, the member is, not for the first time, quite wrong. When I said that at the political level, what I meant was—and everybody understands what I mean—the members of this government, the members of this cabinet, were not informed either about the previous incidents at Bell Cairn or about the particular incidents which are now the subject of the police investigation. Those are the facts. They've been clear. No one has challenged those facts. Those facts are confirmed by the deputy minister.

With respect to the question of how we get to the bottom of this, we get to the bottom of this by appointing a judge, asking a judge who is independent of this government, independent of the opposition, independent of everyone, to get to the bottom of it. That's exactly what we're doing. I can't imagine a fairer or better way to treat this issue. We've released all the information. I think we've done everything that we possibly could to make sure all the facts will come out. That's exactly what will happen.

VISITOR

The Speaker (Hon David Warner): Before continuing—and I have stopped the clock—I invite all members to welcome to the gallery a former member of this assembly, the former member for London South, Mrs Joan Smith, seated in the members' gallery west.

The leader of the third party with his first question.

MINISTRY TRAINING SCHOOL

Mr Michael D. Harris (Nipissing): Premier, you have a Minister of Correctional Services, who is also the chief law enforcement officer in this province, who has closed his eyes and ears to what is going on in his ministry. That in and of itself I believe is shameful, I believe is unacceptable, I believe transcends the standards you as Premier would want. It puts the safety and security of Ontarians at risk, and I don't believe it can be ignored by you.

By allowing this minister's laissez-faire attitude, you are sending out a very clear signal. You are saying: "What we don't know won't hurt us, so go ahead and do whatever you like. Just don't tell us about it." Premier, that is what you are condoning. I ask you to reflect on that. I ask you to reflect on the signal you are sending out to all your cabinet ministers, existing and former and future, to the Legislature, to the public and to women of this province.

If, as you have said in response to questions from the Liberal Party, you are hiding nothing, I ask you then to suggest that the Solicitor General must step down while

we have a legislative committee investigate and ask the questions that need to be asked about who knew what, and when, and why this matter was covered up from the beginning.

Hon Bob Rae (Premier and Minister of Intergovernmental Affairs): I think Judge Hansen is going to do a job in terms of—this issue should be kept free of any kind of partisanship, any kind of accusations of political partisanship. This is a very difficult and sensitive issue which we have to look at in terms of the problem of sexual harassment in any ministry or in any service the government provides. I think it's important that it be done on an independent basis by Judge Hansen.

Interjections.

The Speaker (Hon David Warner): Order.

Hon Mr Rae: The member opposite says in his question that somehow what we don't know won't hurt us. I think the indications are very clear—

Interjection.

The Speaker: The member for St George-St David.

Hon Mr Rae: —that this government is doing everything possible to get at the facts. When information is not shared with cabinet members, when it's not made available to cabinet members, that is a serious problem we as a government will not accept. We want that information, we need that information, we want to share that information. When we have had that information, we have taken action. We will continue to take action. That's why we want all the information to come out. That's precisely why.

Mr Harris: Premier, you are sending out a signal that, "You can investigate everything except my cabinet ministers." He's not your cabinet minister. It's not your cabinet. It's not your government. This government belongs to the people of Ontario, and the people of Ontario have a right to know as well.

What took place at Bell Cairn is something that no one should turn his back on. The minister failed in his responsibilities by doing just that, and you have given a silent acceptance or tacit approval of what went on by not asking for his resignation. You and your minister have told women of this province that the old boys' code of silence is still in place. You are sending out the signal that when women of this province face injustice, your government, either wilfully or through incompetence, will not be there to listen. That's the signal you are sending out. Either wilfully or by incompetence, they will not be there to listen.

Premier, I suggest to you that you of all people ought to know that is unacceptable. Will you ask your minister to step down now and allow a legislative committee of this Legislature to find out who knew what, when, and who's covering it up?

Hon Mr Rae: If the member is saying that he doesn't have any confidence in Judge Hansen, then he should stand up and say so.

Mr James J. Bradley (St Catharines): That's not what he said.

Hon Mr Rae: That's the clear implication of what he's saying.

The second issue is the investigation that's ongoing by the OPP with respect to the particular allegations involving sexual assault.

With respect to the third point he's making in his rhetoric, to state and to ask that it be taken seriously that somehow the actions taken by this government and the steps we've taken systematically as we've learned of whatever information we've learned of, in terms of what we've done that there's any kind of tacit approval, there's no member, there's no person in this Legislature who would ever give tacit approval to that kind of thing. The member knows it. To make that kind of partisan, cheap political comment with regard to a serious problem like this is unworthy of the honourable member.

1420

Mr Harris: What you will not allow us to do, Mr Premier, is find out why the minister didn't know, whether it was pure incompetence or he didn't want to know or he wouldn't have anything to do with that ministry.

We have no idea now what the standards are for your cabinet. You kept a liar in cabinet, but you turfed the Sunshine Boy. You defended a Solicitor General whose office interfered in the judiciary, but you tossed out a minister who made an honest mistake when she breached confidentiality. You promoted the member for Victoria-Haliburton when he broke the law in Temagami for a cause you agreed with, but you expelled the member for Oakwood for violating labour laws.

Premier, you yourself, with your inconsistencies, are sending out a signal where even your own ministers don't know what is acceptable, what level of competence is acceptable, and you are now becoming a big part of the problem. I tell you, the public is already cynical enough about politicians, about the whole lot of us—

The Speaker: And the supplementary?

Mr Harris: —you know that, and when any one of us is involved in a scandal it affects us all. The electorate put its trust in you. It put its trust in all of us. In return it expects a higher degree of responsibility than it does from most other people.

Premier, by virtue of his ignorance, by virtue of his incompetence, this minister has not lived up to his ministerial responsibilities and therefore must resign. Since he will not do that, since he will not do the honourable thing, even while an investigation is under way by a judge or by a legislative committee, will you help restore the public's trust by asking for his resignation before the investigation proceeds further?

Hon Mr Rae: If ever there was an example of rhetoric that might give rise to political cynicism, it's the kind of rhetoric which precedes the question offered by the leader of the third party.

The steps that this government has taken have been taken in good faith. I want to suggest to the honourable member that if he was the Premier and he was faced with the situation he would be doing the same thing, asking a judge, not a legislative committee, to deal with an issue of this kind, but a judge who is quite independent of the political process. No, I think if you want to look at—

Interjection.

The Speaker: Order, the member for Etobicoke West.

Hon Mr Rae: —dealing with this question fairly, that's the way it would proceed and this is the way we're going to proceed.

The Speaker: New question.

Interjections.

The Speaker: The member for Leeds-Grenville with his question.

Mr Robert W. Runciman (Leeds-Grenville): At the outset I want to send over a copy of a page of Hansard which confirms what the member for St George-St David said: "I am not satisfied that at the political level this government was not made aware." I'll send that over to the Premier. I want to talk about this—

Interjections.

The Speaker: Order.

Mr Runciman: I want to talk to the Premier and ask him some questions related to the plight of Dina Palozzi. The Premier, by the documents he's tabled with the public today, or his minister has, and by his actions in respect to pulling her out of her responsibilities as deputy minister, has, as I said the other day, left her professional reputation in tatters. He's put her in the cabinet secretary's office where she cannot be accessed by members of the opposition, the public or the media. He's issued a gag order. We called today. We called 28 people who were listed on the memos circulated in the last number of months. We got the same response from every one of those people, Mr Premier: "Call Cim Nunn in the minister's office" A very effective gag order.

I want to once again ask you what is going on. Why will you not let the deputy minister give us her side of the story, meet with the media, meet with the opposition, tell her side of the story to the public, other officials within the ministry? What are you hiding?

Hon Mr Rae: I would say to the honourable member that if the government was hiding anything, surely it wouldn't be asking a judge to look into something.

Hon Ruth A. Grier (Minister of the Environment and Minister Responsible for the Greater Toronto Area): Or the OPP.

Hon Mr Rae: There is an OPP investigation going on. So all these things are under way, all this information will come out. The memos have been released, the information is being shared. These are clear steps that are being taken by this government. I think they're a very clear signal to the public and to everyone that when this government has the information that was shared with us last week, we take action. That's what we've done. You may not approve of all the action we've taken, but you can't say that we have not taken the action and that there's every determination on our part to let all the facts come out.

Mr Runciman: I think there's no question they've taken action but it's late in the day, there's no question about that, and it's inadequate. This government and the Premier have hung this around Ms Palozzi's neck com-

pletely. You haven't given any explanation as to the move. Every indication is that she was totally, completely responsible for this whole matter, for sweeping a gang rape under the rug, a gang rape on the grounds of a provincial institution by provincial employees who were then allowed to continue to serve as peace officers with vulnerable people. She's completely responsible for that, that's what you're saying, to all of us, to the public at large. Yet at the same time, yesterday you say she's going to stay on, presumably at her \$100,000-plus salary.

You accused my leader just a few moments ago of engaging in cheap political comment because he suggested that was what you're doing and your lack of action was tacit approval. Premier, I'm asking you today, how do you justify what's happening with respect to this deputy minister, your commitment to keeping her on, with your commitment to fight against violence against women, to sexual harassment in the workplace? How do those two things jibe? You can't have it both ways.

Hon Mr Rae: The steps I've taken have been taken based on the information that I had. There was no question that the information had not been shared with the minister or with his staff, and my view is that required some action to be taken by me. That's what I've done.

I also think it's important for us to look at Judge Hansen's work and to give her a clear opportunity to do her work and for us to make it clear that we don't regard this, no matter what the opposition may try to say, as anything other than a human tragedy which has to be dealt with by a government on the basis of clear action and signals being taken. We expect—

Mr Ian G. Scott (St George-St David): You're the world's biggest wimp.

The Speaker: Order. The member for St George-St David, come to order.

Hon Mr Rae: The member for St George-St David obviously doesn't want me to continue. He'd rather engage in personal insults and I don't intend to—

Mr Scott: I'd like you to leave office for incompetency.

The Speaker: I ask the member for St George-St David to come to order.

Interjections.

The Speaker: When the member for St George-St David can come to order, then we can continue. Had the Premier completed his response? Final supplementary.

Mr Runciman: We know that this Premier has over many years expressed eloquent concern about violence against women. We've seen this government announce with great fanfare a new policy with respect to sexual harassment in the workplace and getting tough in respect to sexual harassment in the workplace in the private sector.

Yet now we have Ms Palozzi whom you have hung out to dry. You've laid all of the responsibility on her doorstep—don't shake your head, you have—but you won't fire her. On one side you're saying, "We care about these kinds of issues," and here's a woman who apparently, according to you and your government, allowed a gang rape to go unreported, no police investigation, sweep it under the rug and

perhaps even most important, allow these people to continue in the system who allegedly conducted this assault. They're still out there, Premier. You're saying that this person allowed that, yet on the other hand you have great concern about these issues.

From our side of the House, this looks like a payoff. You've paid for her silence. Regardless of what she's done, she's going to continue in her \$100,000-plus job.

Well, that's the message that's being sent out. We can hear moans and groans.

The Speaker: And the supplementary?

1430

Mr Runciman: I want to ask the Premier, in terms of the Barnes report, which he has on his desk, will he release that? I'm prepared to accept it if he deletes the names, if that's his concern, or if he will let one member of each opposition party sit down in the privacy of the Cabinet Office to review this report to see if we concur with his conclusions.

Hon Mr Rae: I would only say to the honourable member that the preface to his question and all the harangue that was contained therein, the assumptions behind it and the statements it contains I think are first of all totally self-contradictory and are without any foundation at all.

Mr Runciman: You're self-contradictory.

Hon Mr Rae: If he will now just allow me to answer his question—

Interjection.

The Speaker: Order, the member for Leeds-Grenville.

Hon Mr Rae: I already indicated, but perhaps he wasn't listening to my answer to the question from the member for St George-St David, when I asked Mr Barnes for a report, what he presented me with was the documents that have now been released today, that is to say, a summary of memoranda and other documents. There is no written document from Mr Barnes.

Mr Sean G. Conway (Renfrew North): I would like to return to the Minister of Correctional Services, because it seems to me that for the House and for the public beyond, the fundamental question we must concern ourselves with is the administration of that department from September 1991 through to the statements and questions put to the House a week ago today by the honourable member for Leeds-Grenville. It is that nine-month period I am most concerned about.

I have listened today to Anthony Eden, the leader of this government, give a fantastic explanation and give a perfectly twisted notion of ministerial responsibility, so I want to go to the captain of the HMS Pinafore. I want to ask Mr Pilkey some questions about the way in which he led the Ministry of Correctional Services from September 1991 through to July 1992, that is, July 14, 1992.

Specifically, can you tell this House how many times a week in that period of nine months you would have had or taken briefings from senior officials in the department of correctional services, and how many times a week during that nine-month period, September 1991 through to July 14, 1992, your senior political staff would have taken

briefings from senior officials or others within the Ministry of Correctional Services?

Hon Allan Pilkey (Solicitor General and Minister of Correctional Services): Mr Speaker, I want to tell you and I want to tell this House that these ministries have been administered, they have been dealt with legislatively, they have been dealt with in terms of special events, awards presentations, the whole gamut of ministerial responsibility.

That includes my political staff being present on the site daily, that includes briefings, that includes daily contentious issues, that includes the adoption and the starting of new consultative committees with respect to our ministry from a wide variety of groups and organizations, spreading all the way from the native community to the Elizabeth Fry Society to the John Howard Society to the Ontario Association of Community Correctional Residences, the Ontario public service—I know you want to cut me off because the list is too long.

I'm getting rather incensed. I've tried to remain controlled with respect to this matter, but this continual kind of political wrangling in the face of the facts which I advised this House of all along, which have now been proven by the facts in writing, and the continual denial by these people in the face of the facts, I find totally objectionable. The appropriate steps have been taken—

The Speaker: Would the minister conclude his response, please.

Hon Mr Pilkey: The absolutely responsible actions have been taken. They will come out as a result of the police and the investigation by the judge. You'll have to pardon me for getting incensed at this kind of political partisanship that this has now devolved into.

Mr Conway: That answer tells a great deal, and it tells fundamentally this: that the honourable member from Oshawa does not understand what being a minister of the crown is. He doesn't understand what being the boss entails. He truly gives effect to the story that he polished the handles so very carefully that "now he is ruler of the Queen's navy," that his only claim to fame is that in fact he is Cliff Pilkey's son.

The word we have heard, and what we're not going to get from Judge Hansen, is that the minister, however nice he may be, rarely went to the department. He went for months without taking briefings. He was surrounded by junior, neophyte staff who didn't know what was going on. I say again rhetorically—

The Speaker: And the question?

Mr Conway: —by any standard, the minister clearly does not understand the difference between cutting a ribbon in Timmins and being back at the departmental headquarters doing something about a crisis that was developing over eight or nine months.

The Speaker: Could the member place his question.

Mr Conway: Does he not understand that there is a difference, and that by any standard, his only excuse being he didn't know, he didn't care, he didn't go to the department, he wouldn't talk to the deputy, he wouldn't talk to

the directors, that is the greatest sin of omission and by the basic conventions of British cabinet government he is duty-bound to offer his resignation?

Hon Mr Pilkey: I believe my earlier response fits that dissertation perfectly.

Mr Runciman: I want to go back to the Premier on this matter and I want to talk about his whole idea of who should be in cabinet and who should not be in cabinet, specifically related to the memos that were tabled with the public and the opposition parties today, what I would call a litany of shame and injustice if we take a look at all this going on over a significant period of time while this minister was responsible for this facility, with virtually nothing happening to respond in a positive way to all the concerns, especially the concerns of women who felt extremely vulnerable in this environment.

I said that earlier today we tried to contact 28 people within the ministry who are part of the circulation of the memo. We've indicated clearly that at least 28 people, many of them at senior management levels, were very much aware of the concerns related to Bell Cairn and to the assault that took place. How can the Premier justify continuing to support in this House on a daily basis a minister who apparently was totally unaware of the circumstances when at least 28 people within his ministry were aware? How can he continue to justify continuing to support that minister?

Hon Mr Rae: If the minister wasn't informed, if the minister wasn't given information, if he wasn't told of an issue, if he wasn't provided with that information, if that information was not shared with him—and as soon as that information was provided this government has taken action.

I think the evidence is very clear; what is there is very clear. We are determined to take action as soon as we are made aware of a problem. I can assure you the message is very clear. We want to get to the bottom of this. We want to deal with other issues. We want to do the very best job we can. That's what every member of this cabinet is trying to do.

Interjections.

The Speaker: Order, the member for Etobicoke West.

Hon Mr Rae: We want to get as much information shared with us and the public as is humanly possible in the circumstances.

1440

Mr Runciman: That's a response that just won't wash. What's happened here is that the minister has effectively pulled out the phone and now he's complaining that he never received any calls. This is the same government that wants to bring in legislation to charge, in the criminal justice system, chief executive officers for responsibility for spills in respect of pollution. This is the same government, but this Premier stands in the House and says, "The minister has no responsibility," even though who knows how many people in his ministry were aware of this and he cut off a committee that was supposed to inform him of ministry complaints, yet he has no responsibility, no accountability.

You owe the people of this province a much more lucid explanation and a higher standard in respect to the people who are serving in your cabinet. Let's have it right now, today.

Hon Mr Rae: The steps this government has taken send, I think, the clearest possible message that we want all the facts to come out. We clearly want it to be understood that we expect and want information to be shared with members of cabinet. We want information to be shared so that steps can be taken and decisions can be taken. That's exactly what we want to do, that's exactly what we've done, and that's exactly the message that we're sending to this House and to the public of Ontario.

TOURISM

Mr Gary Wilson (Kingston and The Islands): My question is for the Minister of Tourism and Recreation. As you know, tourism hasn't been doing the best this year. It's partly because of the weather, but, as a couple of taxi drivers I've surveyed on this issue suggest, I think it's also the GST. That was the first thing they commented on as far as what tourists are telling them this year. Though you have no control over either the weather or things like the GST, I would like to know what your ministry is doing to promote tourism in my riding and across the province.

One thing that has come to my attention through a couple of constituents is a concept called ecotourism, which is something that gives tourists a firsthand experience of the culture and the environment of an area in a very rewarding way for both the tourists and the guides. This is a concept that has been promoted in both Costa Rica and the Brazilian rain forest, for instance. I was wondering whether your ministry has done any work on this concept or others.

Hon Peter North (Minister of Tourism and Recreation): The Ministry of Tourism and Recreation has recognized, first of all, that ecotourism is a growing and important part of tourism in general. We've had an opportunity to be involved with a number of different groups, and presently we're in sort of a coordinated study on this particular subject. We should be able to have more information on the value of it, certainly the interest in it and the opportunities for the product in the province, in the coming year.

Mr Gary Wilson: I'm just wondering what comparative studies you might be doing in this area to see that the value of something like ecotourism, which in our area, for instance, offers not only aspects of historical value but the whole environment of the area, is there to be enjoyed by tourists in this very rewarding way for both the tourists and the operators. I was thinking that if there were programs to train people with this aspect in mind, that would be a very rewarding part of your ministry's activities.

Hon Mr North: Presently there are opportunities that we have in working with native tourism that involve what we would call ecotourism. As I said earlier, we are also working on the study that we're putting together so that we can better understand what the product is and what the opportunities are.

There's a strong interest in the European Community involving ecotourism, and the European Community is also very interested in the native tourism opportunities that exist. So we're working with groups ourselves and in Tourism Canada, Resorts Ontario and a number of other groups to try to put together a good outline of ecotourism and what opportunities there will be in that particular segment of the tourism industry.

MINISTRY TRAINING SCHOOL

Mr Sean G. Conway (Renfrew North): My question is to the Minister of Correctional Services. It is the common practice in departments of the Ontario government that at least once a week the minister meets with senior departmental staff to review issues of interest and concern within the department. My question to the Minister of Correctional Services is, will he tell me and the House that between September 1991 and July 14, 1992, he had, and could show a log to confirm this, the regular practice of meeting at least once a week with the senior departmental staff at the Ministry of Correctional Services? Can he indicate to this House that this in fact was his practice in the period from whenever he became minister in 1991 through July 14, 1992?

Hon Allan Pilkey (Solicitor General and Minister of Correctional Services): I have had formal meetings, informal meetings and private meetings, with the deputy and senior members of staff on a wide variety of topics, with a wide variety of people in and around the corrections ministry, those associated with and agencies surrounding the ministry and a wide variety of other tasks.

I am available to that ministry any day of the week. My staff who are on site are available to the ministry any day of the week. We have a very clear understanding with the deputy that I am to be advised on contentious issues. Those are well above and over the regular type of meetings we have on any issues surrounding the ministry, either administratively or legislatively.

Mr Conway: Those of us who have served in government know well the practices of the Ontario government.

Interjections.

Mr Conway: Anthony Eden? The leading bumbler, Mr Rae, is prepared to tolerate this.

Hon Floyd Laughren (Deputy Premier, Treasurer and Minister of Economics): Speaking of which, Sean, we remember your record as a minister.

Hon Bud Wildman (Minister of Natural Resources): How often did you speak to your senior staff?

Interjections.

Mr Conway: I will say this to my friends opposite, if anything of this kind happened in my term as a minister, I would feel honour-bound to my Premier and the people of Ontario to resign forthwith.

Hon Mr Laughren: Why didn't you then?

Mr Conway: Lord Carrington did so in 1982 in the Thatcher government.

Interjections.

The Speaker (Hon David Warner): I ask the members to come to order.

Interjections.

The Speaker: Order. I ask the member for Etobicoke West to come to order. I ask the cooperation of members on both sides of the House to allow the member for Renfrew North to complete his supplementary. The member for Chatham-Kent, come to order. The member for Renfrew North, please place your supplementary.

Mr Conway: We have today the letter of Ms Palozzi to the secretary of cabinet dated July 15, 1992, outlining, in part, her story. In order to believe this, we then have to ask the question, what kind of relationship must have existed between this minister and that department, a small department within the Ontario government? There is around Queen's Park a story that runs like this: Allan Pilkey is a nice fellow but he's not very industrious and he never goes to his department.

The Speaker: Would the member place his supplementary please.

1450

Interjections.

Mr Conway: My question, to the howling mob opposite, is this: Will the Minister of Correctional Services table in this Legislature a log of his activities as Minister of Correctional Services from September 1, 1991, through to July 14, 1992, so we can see just how many times he made himself available to senior officials who are now taking the fall—

The Speaker: Would the member conclude his supplementary.

Mr Conway: —for what in fact may be a case of gross incompetence and maladministration on the minister's part?

Hon Mr Pilkey: I believe I have responded very adequately to that question. I also believe the member for Renfrew North now strays a long way indeed from the issue and the concerns at hand and the very responsible and immediate actions that I, as the minister of corrections, took in commencing a police investigation, closing the Bell Cairn centre and appointing a judge with respect to investigation of this particular matter. Those are the issues. Those are the major concerns. Those are the matters I am dealing with. I have dealt with them as soon as I was made aware of the information.

Mr Charles Harnick (Willowdale): My question had been for the Premier, because he's placed such great faith in what this judge is going to be doing, but the Premier isn't available any more. He had to leave, with 11 minutes to go. I have no choice but to ask the embattled Minister of Correctional Services this question.

Yesterday you made a statement in this Legislature appointing Madam Justice Inger Hansen to conduct an independent review. You've never told us what that review will entail. Can you please stand and tell us exactly what Madam Justice Hansen will be investigating and how she will be performing the investigation?

Hon Mr Pilkey: Her Honour has been obtained to review and examine the operations of the Bell Cairn staff training centre in Hamilton. We have concerns about ongoing sexual harassment and assault that may have occurred at the centre. We want to have that done, however, without interfering in any way with the police investigation.

We want to have her review the ministry responses with respect to those allegations. We want to have her provide for us certain conclusions with respect to the way the matter was handled in respect to the ministry. We are going to ask her to do a document review with respect to policies, memoranda etc.

We are also going to have her interview staff: Bell Cairn staff, course participants, external trainers and ministry employees. We are also going to have her develop a collection of information with respect to the operation of other training facilities in our purview. All of these people are going to be involved and I believe will be involved and brought to a successful conclusion.

Mr Harnick: I find that answer to be totally unacceptable. I would like to know if this investigation is going to take place in public. Is the public going to get to hear these mystery witnesses? Will there be transcripts of the examinations of these witnesses? Why can't the minister, if the minister really has nothing to hide, hold this inquiry under the Public Inquiries Act where everyone would be able to see?

Interjections.

Mr Harnick: The Minister of Housing keeps yapping away at me. If you have nothing to hide, why don't you have a real investigation where the public can see what's going on and we don't have to listen to you yapping and hiding what the real truth is.

We could accomplish a whole lot here and probably put this issue behind us. Now, I'm asking the minister: Will you allow this judge to perform an inquiry under the Public Inquiries Act with proper terms of reference that will be made public and will you allow the public to see the investigation before their very eyes? Will you further indicate specifically in the terms of reference that this judge will have the opportunity to examine your ministry, your office and your political staff?

Hon Mr Pilkey: It has been responded to earlier. There is a police investigation under way. I have initiated as well—

Interjections.

The Speaker: Order.

Hon Mr Pilkey: —an investigation by Her Honour with respect to this matter.

Interjections.

Hon Mr Pilkey: There was an inference there that somehow there's a questioning of Her Honour with respect to this particular matter.

Interjections.

The Speaker: Order.

Hon Mr Pilkey: I have every confidence and belief, Mr Speaker—

Interjections.

The Speaker: Order. Will the minister take his seat.

Interjections.

The Speaker: Has the minister concluded his response?

Hon Mr Pilkey: Mr Speaker, I'm not sure there are any answers, including factual ones, that are acceptable to some members opposite. I think as to the background of Her Honour, Judge Inger Hansen, I would love to share it with you. She's a former information commissioner of Canada, Canada's first correctional investigator for Correctional Service Canada and the first privacy commissioner of federal legislation. She is a former penitentiary ombudsman and legal counsel for the federal Department of Justice. If that isn't an exemplary—

Interjections.

The Speaker: Would the minister take his seat, please.

Interjections.

The Speaker: New question.

Mr Kimble Sutherland (Oxford): Thank you, Mr Speaker. My question is to—

Mr Alvin Curling (Scarborough North): On a point of order, Mr Speaker: When the member for Willowdale was putting his question, and the Solicitor General was responding, it seems to me that the member for Ottawa Centre and the member for Lake Nipigon continued to respond to the question. Is that in order? The point is that they could not hear the question being responded to, and I just wondered why they weren't called upon.

The Speaker: The only thing that should ever be in order is to hear one voice at a time. Unhappily, we have heard a multitude of voices.

1500

LONG-TERM CARE

Mr Kimble Sutherland (Oxford): My question is to the Minister of Health. Minister, last year, as one component of this government's long-term care system reform, you and the Minister of Community and Social Services announced that you would honour the previous government's commitment to introducing a new "needs-based funding formula for nursing homes and charitable homes for the aged by early 1993." In the meantime, however, you made a further commitment to attempt to address the incredible financial pressures faced by many nursing homes by providing interim bridge funding.

With current levels of government funding the Caressant Care Woodstock Nursing Home and Woodingford Lodge in my riding find it difficult to continue to provide the same service to their residents they have always provided. It's been over six months since you announced the interim bridge funding. When can the nursing homes and homes for the aged in my riding and other nursing home facilities in the province expect to see this funding?

Hon Frances Lankin (Minister of Health): I'm not quite sure, in the last part of the question, if the member was referring to when the nursing homes would receive the previously announced interim funding. They have in fact received that. If I can point out to the member, in the last fiscal year there was a 6% global increase, plus we were able to make two adjustments of interim financing to try to close the gap, which is a real discrepancy in funding, between nursing homes and municipal homes for the aged.

The member speaks about long-term care reform and the move to levels-of-care-requirement funding. We've indicated that we intend to move towards that for January 1993, but he's quite right that I have continued to acknowledge that there has been a long-standing historical problem with respect to the inadequacy of the funding of nursing homes and charitable homes for the aged in comparison to the municipal homes for the aged when many of the clients that they are serving require similar kinds of care and similar levels of funding.

I'm pleased to let the member know that we have in fact made the announcement with respect to the global increase for this year. In addition to that, we've provided an additional \$8.1 million of interim funding to nursing homes and charitable homes for the aged that will cover the period of July through to December of this year, at which time we hope to be able to move to levels-of-care funding.

Again, this doesn't completely close the gap, but it is a continued expression of our commitment to try to close the gap between the levels of funding in those two areas.

NOTICE OF DISSATISFACTION

The Speaker (Hon David Warner): Pursuant to standing order 33, the member for Bruce has given notice of his dissatisfaction with the answer to his question given by the Minister of Correctional Services concerning the Bell Cairn matter. This matter will be debated today at 6 pm.

Motions?

CONSIDERATION OF BILL 150

Mr Norman W. Sterling (Carleton): On a point of privilege, Mr Speaker: On July 16, last Thursday, at about five to 6, the acting Speaker at that time, Mr Drainville, said, referring to me:

"My apologies to the honourable member. The honourable member will still have the floor; there's no question about that at this point. I'd like to say that, first of all, to the member for Carleton."

I would like to know when I'm going to get the floor on Bill 150. Am I to believe the Chair?

The Speaker: To the member for Carleton: He may recall the unusual circumstance of that particular time of the afternoon. There was a power failure and the House had determined that the appropriate thing to do under the circumstance was rise. It was approximately five minutes to 6, if I recall correctly.

The time allocation motion has not yet been moved. Therefore, it's very difficult to anticipate what might or what might not happen when Bill 150 should be called forward, if indeed it is called forward. I suppose it's only

at that point in time that the Chair has any opportunity to try to fulfil the obligation that was made by the acting Speaker.

I must say to the member that all chair occupants try very diligently to ensure there's a continuum of decision-making. The undertaking that was given to the member, the Chair will do his utmost to try to comply with that opportunity. I must say to the member that at this point it is a hypothetical matter he raises.

Mr Murray J. Elston (Bruce): Hypothetical? It's a real matter. He's been cut off. He was promised the floor and you've taken it away from him. What's hypothetical about that?

The Speaker: A time allocation motion has not been moved and Bill 150 has not been called forward, and at this point in our proceedings we are at motions. Are there motions?

Mr Sterling: Mr Speaker, on the same point of privilege: I can only say that during the 15 minutes I was given so graciously by the government to speak on third reading as the only member of my party, I mentioned that the motion to cut us off had already been tabled by the Chair. So the acting Speaker at that time was aware of the government motion to cut me off, yet he still maintained in his statement to me that I would have another opportunity to speak. What am I to believe from the Chair? If I yielded the floor before 6 o'clock I would have had at least 20 minutes instead of 15 minutes to speak on this very important bill.

The Speaker: I fully understand the member's predicament. What I would tell the member is that we have some routine business to conduct, and that should allow the Chair the opportunity to try to be of assistance to the member. I can assure the member that if there's anything at all which can be done to fulfil the promise that was made to him, it will be done. Obviously I need a bit of time to try to figure out how to accommodate the member within the rules. There should be some time to do that while we go through the routine proceedings—petitions and so on.

Mr David Christopherson (Hamilton Centre): On a point of privilege, Mr Speaker: On the matter that was raised by the honourable member, I was in the House at that time sitting in my place, and as I recall it, the comment made by the Speaker was in reference to the fact that the member was seeking, I believe, whether or not there needed to be a motion to adjourn the debate and whether or not that would have led to the member losing his place.

The Speaker at that time, in my opinion, was answering and making those comments to the request as to whether or not the lack of a motion to adjourn the debate would lose the honourable member's place in the position for debate. The motion that's being placed by the government House leader would have been applicable regardless of that statement and regardless of whether the motion to adjourn the debate had actually taken place, which was being delayed as a result of questions over whether Hansard was actually on because of the power failure.

Mrs Elinor Caplan (Orillia): On the same point of privilege, Mr Speaker: To the matter which is under

discussion—I'm trying to be helpful for you, Mr Speaker—I was in the House at the time the member for Carleton asked the question of you, Mr Speaker. He was concerned that at the time of the adjournment he would be assured that he would have an opportunity to have the floor and continue his debate at the next opportunity when this piece of legislation was called.

I was pleased when I heard you, Mr Speaker, tell the member that he would indeed have the floor. I hope you will, in your capacity as the person who guards the rights of members of this Legislature in this precinct and who has it in your power to ensure that particularly the rights of the members of the official opposition are not tampered with in any way so that members of the opposition can fully represent their individuals—and the request of the member for Carleton was reasonable at the time. You gave him your word, and we are looking to you to ensure that—

The Speaker: If the member for Oriole was here, indeed she will know that I wasn't. What I did ask of the House is that, with some patience and a bit of time, I can do my best to try and assist the member for Carleton.

Petitions?

1510

Mr Ernie L. Eves (Parry Sound): I would like to speak very briefly to the point made by the member for Hamilton Centre. I was in the chamber as well at the time. I want to point out that the member for Carleton was, first, objecting to being cut off, period. There was some discussion about a motion for adjournment; I will grant the member for Hamilton Centre that. I want to say that the Speaker of the day said, "My apologies to the honourable member."

This is a direct quote from Hansard:

"The honourable member will still have the floor; there's no question about that at this point. I'd like to say that, first of all, to the member for Carleton."

That is pretty clear. If I'm going to come into this House on one day when there's a different person in the chair and the next day the person who happens to occupy the chair says, "I don't care what the person said the last day you were here; I'm going to make my own rules today," what are we to believe?

The member for Carleton either has the floor or he doesn't have the floor. Are you going to stand up for the Speaker on July 16 and live up to his commitment or not? Yes or no?

The Speaker: To the member for Parry Sound, there is very little that I can add to what I've already said. I understand the member for Carleton's concern. I have told you that I will do my utmost to find a way to fulfil the promise that was made by the Chair. At this point in our proceedings we are dealing with petitions; we are not dealing with the debate on Bill 150. With a bit of time and the members' patience, I will have an opportunity to review this as quickly as possible and will try my best to accommodate a very reasonable request and the statement which was made by the acting Speaker at the time.

Mr Dennis Drainville (Victoria-Haliburton): On a point of order, Mr Speaker: I'm going to make no comment on the ruling, but I'm going to ask, is it in order to

ask for the unanimous consent of the House for the honourable member for Carleton to finish his important remarks?

The Speaker: To the member for Victoria-Haliburton, to his point of order: Indeed, that is perfectly in order when Bill 150 is called. At this point I have called petitions, and the patient member for Brampton South has a petition.

PETITIONS

ABORTION CLINIC

Mr Robert V. Callahan (Brampton South): I have a petition signed by 37 residents of Ontario, many of them from my riding. It's addressed "To the Legislative Assembly of Ontario."

Interjections.

The Speaker (Hon David Warner): Order.

Mr Callahan: There seems to be some disruption in the House. May I continue?

The Speaker: Would the member read his petition. Other members, allow him to do so.

Mr Callahan: The House leader looks a bit irate. I don't know why.

"Whereas the government of Ontario has expressed its intention to use \$400,000 of taxpayers' money to increase the security at the private abortion clinic of Dr Henry Morgentaler and an additional \$200,000 of taxpayers' money to help rebuild this for-profit clinic;

"Whereas the Ontario deficit has risen to astronomical proportions, creating serious hardship for Ontario taxpayers, at the same time that programs and services are being withdrawn including crucial health care and social service programs;

"Whereas all other private Ontario businesses are expected to provide their own security and obtain business insurance to cover fire, vandalism and other such calamities;

"We, the undersigned, while abhorring the violent act which destroyed Dr Morgentaler's clinic, do petition the Legislature of Ontario to immediately recant its intention to inappropriately utilize Ontario tax dollars on this private clinic."

It's signed by myself pursuant to the rules, and I'd like to file that.

FRUIT GROWERS

Ms Christel Haeck (St Catharines-Brock): I'm presenting a petition signed by 12 members from the Niagara presbytery of the United Church of Canada:

"Whereas the Ontario tender-fruit growers are in financial crisis,

"Therefore, we, the members of the Niagara presbytery of the United Church of Canada, petition the Ontario government to act immediately to find a solution to the economic viability of tender-fruit farms.

"Whereas the Ontario tender-fruit growers are in financial crisis; and

"Whereas the Ontario government is undertaking an agricultural land protection program,

"Therefore, we, the members of the United Church of Canada, strongly oppose restrictions on tender-fruit land until economic viability of the tender-fruit growers is restored."

LANDFILL

Mr Charles Beer (York North): I have two petitions numbering over 5,000 signatures. The first reads:

"To the Legislative Assembly:

"Whereas the official plan of the township of King states that 'the township of King has traditionally been a rural municipality within the region of York,' and that 'the township possesses a significant amount of land which has historically been and remains devoted primarily to agriculture,' and

"Whereas this document also states that 'agriculture is an important land-based activity within the township,'

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We oppose the provincial government's proposal to take prime agricultural land in King township and turn it into Metro and York region's megadump."

The second petition, which is signed by over 3,000 people, reads:

"To the Legislative Assembly:

"Whereas the town of East Gwillimbury has traditionally been a mixture of agriculture and residential land. Both areas would be drastically affected by a megadump. The town possesses a significant amount of land which has historically been and remains devoted primarily to agriculture; and

"Whereas the historical significance of our area is typified by Sharon Temple, its many patrons and the pastoral quality has considerable significance to this area; and

"Whereas the effects of a megadump on the water supply of this area would be catastrophic. The township of East Gwillimbury supplies water to the Newmarket and Aurora area,

"We, the undersigned, petition the Legislative Assembly as follows:

"We oppose the provincial government's proposal to take prime agricultural land with historical significance in East Gwillimbury to turn into Metro and York's megadump.

"We further petition the Legislative Assembly to renew their efforts to seek and entertain alternatives to landfill."

I have signed both petitions in support.

EDUCATION FINANCING

Mr David Turnbull (York Mills): I have a petition here to the Legislative Assembly of Ontario.

"Whereas the British North America Act of 1867 recognizes the right of Catholic students to a Catholic education, and in keeping with this, the province of Ontario supports two educational systems from kindergarten to grade 12/OAC;

"And whereas the Metropolitan Separate School Board educates more than 104,000 students across Metropolitan Toronto, and whereas these students represent 30% of the total number of students in this area, yet have access to just 20% of the total residential assessment and 9.5% of the pooled corporate assessment;

"And whereas the Metropolitan Separate School Board is able to spend \$1,678 less on each of its elementary

school students and \$2,502 less on each of its secondary school students than our public school counterpart,

"We, the undersigned, petition the Legislative Assembly of Ontario to act now and restructure the way in which municipal and provincial tax dollars are apportioned so that Ontario's two principal educational tax systems are funded not only fully but with equity and equality."

I have affixed my signature.

MUNICIPAL BOUNDARIES

Mrs Irene Mathysen (Middlesex): I have a petition here signed by 47 residents of the county of Middlesex, specifically people from Ilderton, Denfield, Lambeth and Lobo township. They request the Legislative Assembly of Ontario to set aside the arbitrator's report, because they believe it does not reflect the expressed wishes of the majority who participated in the arbitration hearings, it awards too extensive an area of annexation to the city of London and will ultimately jeopardize the viability of the county of Middlesex and our rural way of life. I have affixed my signature to this petition.

1520

EDUCATION FINANCING

Mr Alvin Curling (Scarborough North): I have a petition to the Legislative Assembly of Ontario. It says:

"Whereas the British North America Act of 1867 recognizes the right of Catholic students to a Catholic education, and in keeping with this, the province of Ontario supports two educational systems from kindergarten to grade 12/OAC;

"And whereas the Metropolitan Separate School Board educates more than 104,000 students across Metropolitan Toronto, and whereas these students represent 30% of the total number of students in this area, yet have access to just 20% of the total residential assessment and 9.5% of the pooled corporate assessment;

"And whereas the Metropolitan Separate School Board is able to spend \$1,678 less on each of its elementary school students and \$2,502 less on each of its secondary school students than our public school counterpart;

"We the undersigned petition the Legislative Assembly of Ontario to act now and restructure the way in which municipal and provincial tax dollars are apportioned so that Ontario's two principal education systems are funded not only fully but with equity and equality."

I have affixed my signature to these petitions.

GAMBLING

Mrs Dianne Cunningham (London North): I have a petition regarding increased legalized gambling.

"To the Legislative Assembly of Ontario:

"Whereas increased legalized gambling threatens to harm individuals and families and might well expand the presence of organized crime in our province;

"And whereas the eventual costs to taxpayers to counter the resulting crime and social problems for individuals and families may well be higher than the anticipated revenue,

"We, the undersigned members and friends of DaySpring Presbyterian Church, London, Ontario, petition the Legislative Assembly of Ontario not to increase legalized gambling in our province, whether through casinos, electronic video machines or by any other means."

I've signed my name to this petition and enter it therefore to the Clerk and to yourself, Mr Speaker.

CONSTITUTIONAL REFORM

Mrs Dianne Cunningham (London North): Enclosed herein is a petition with 45 signatures requesting the Legislative Assembly of Ontario to pass legislation giving to the people of Ontario a referendum on all constitutional changes.

The signers of this petition request you to present this petition to the Legislative Assembly in accordance with the prescribed rules of the Ontario Legislature.

The Supreme Court of Canada has stated that the Constitution belongs to the people, not to governments. A referendum is the only means whereby the will of the people of Ontario can be determined, and is thanking me for my cooperation in presenting this petition, one signed by 45 people, another signed by 14 people. I'll enter that for your perusal.

Mr Speaker, I didn't read that correctly, if you don't mind.

"To the Legislative Assembly of Ontario:

"Whereas we, as citizens of the province of Ontario, believe the Constitution of any genuinely democratic society truly belongs to its people and that our views on any changes to Canada's Constitution must be heard and final approval of such changes must be given by the citizens of Ontario;

"Whereas up to this time there has been very limited opportunity for input from grass-roots Ontarians,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We request of you who administer the affairs of this province to make available every opportunity for the people to see and understand fully what the new Constitution, and/or any amendments thereto, will mean to each of us, and then make provision for a final say by the people of Ontario by way of a binding referendum."

I've signed my name to both of these petitions.

LANDFILL

Mr Charles Beer (York North): I have a petition here from the pupils of Whitchurch Highlands public school in the region of York and in the town of Whitchurch-Stouffville. It reads:

"To the Legislature of Ontario:

"We're against plowing down houses and replacing them with garbage dumps, and so are all of these people."

Mr Speaker, it is signed by some 50 to 60 students and attached to the petition are a number of notes for the minister. I have signed that in support.

I have, as well, another petition signed by over 2,000 people, which reads as follows:

"To the Legislative Assembly:

"Whereas the town of East Gwillimbury has traditionally been a mixture of agricultural and residential land. Both areas would be drastically affected by a megadump. The town possesses a significant amount of land which has historically been and remains devoted primarily to agriculture,

"We, the undersigned, petition the Legislative Assembly as follows:

"We oppose the provincial government's proposal to take prime agricultural land with historical significance in East Gwillimbury to turn into Metro and York's megadump.

"We further petition the Legislative Assembly to renew their efforts to seek and entertain alternatives to landfill."

I have signed that in support.

I have a final petition to the Legislature of Ontario signed by some 400 persons, which states,

"That the Legislature of Ontario repeal Bill 143 in its entirety, and allow a more democratic process for the consideration of future disposal options for greater Toronto area waste, particularly the consideration of sites beyond the boundaries of the greater Toronto area where a 'willing host' community exists that is interested in developing new disposal systems for greater Toronto area waste."

I have signed that in support as well.

LABOUR LEGISLATION

Mrs Dianne Cunningham (London North): I have a petition signed by some 683 citizens of the province of Ontario from Timmins, La Salle, Burlington, St Catharines, Willowdale, North York, North Bay, Prescott, Chatham, Dresden, Shakespeare and Sturgeon Falls. It's addressed to the Legislative Assembly of Ontario.

"Whereas independent and non-partisan economic studies have concluded that the proposed changes to Ontario labour legislation will increase job losses; and

"Whereas they will cause a decline in investment in Ontario; and

"Whereas they will seriously undermine the recovery and the maintenance of a sound economic environment in the province,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario government declare a moratorium on any proposed changes to the labour legislation in the best interests of the people of Ontario."

I have signed my name to these petitions and will put them in your hands for your perusal.

STANDING ORDERS REFORM

Mr Ron Eddy (Brant-Haldimand): I have a petition to the Legislative Assembly of Ontario.

"Whereas Premier Rae of the province of Ontario has forced upon the Ontario Legislature a change in the rules governing the procedures to be followed in the House; and

"Whereas Premier Rae has removed from members of the opposition the ability to properly debate and discuss legislation and policy in the Legislature by limiting the length of time a member may speak to only 30 minutes; and

"Whereas Premier Rae, who once defended the democratic rights of the opposition and utilized the former rules to full advantage in his former capacity as leader of the official opposition, has now empowered his ministers to determine unilaterally the amount of time to be allocated to debate bills they initiate; and

"Whereas Premier Rae has reduced the number of days that the Legislative Assembly will be in session, thereby ensuring fewer question periods and less access for the news media to provincial cabinet ministers; and

"Whereas Premier Rae has diminished the role of the neutral, elected Speaker by removing from that person the power to determine the question of whether a debate has been sufficient on any matter before the House; and

"Whereas Premier Rae has concentrated power in the Office of the Premier and severely diminished the role of elected members of the Legislative Assembly, who are accountable to the people who elect them,

"We, the undersigned, call upon Premier Rae to withdraw the rules changes imposed upon the Legislature by his majority government and restore the rules of procedure in effect previous to June 22, 1992."

It's signed by a number of interested citizens and includes my own signature.

MEMBERS' PRIVILEGES

Mr Charles Beer (York North): On a point of privilege, Mr Speaker: I am not sure exactly how to state this, but I believe that my privileges as a member, and indeed the privileges of all members, have been affected by what took place in this House just a few minutes ago. What I'm referring to is that, following the very generous offer by the member for Victoria-Haliburton in full view of all members who are in this House, both the government House leader and the Minister of Energy, who is not here right now, chastised and upbraided the member for Victoria-Haliburton for making the suggestion that upon unanimous consent of the House the member for Carleton would be able to speak.

The reason I raise that on a point of privilege is it seems to me that the government House leader has thoroughly abused his power, has demonstrated in front of the members of the House who were here that he believes he controls the Speaker, whoever may be in that chair, and that he may do that in public and show to everyone here that he was upset with what happened.

I recognize that this is a difficult point of privilege because there is nothing in Hansard, but it was witnessed, I say to the government House leader, by everyone here. For those of us who are feeling terribly concerned at the abuse of power this government House leader has tried to decree by his new rules and by his actions in this House, I would ask, Mr Speaker, that you consider that and see whether my privileges and those of other members of this House have not in fact been abused by the open and public condemnation the government House leader showed to the Deputy Speaker.

1530

The Speaker (Hon David Warner): To the member for York North, I certainly appreciate his concern. I will

say that the member for Victoria-Haliburton raised what he believed to be a point of order; indeed, I told him he was correct that at the time when—whenever, if ever—Bill 150 is called, it would be in order for any member of the House to ask for unanimous consent for a particular member to be heard; it's not an unusual practice, and I simply responded to him.

Those are the events as they unfolded. While I understand the concern which he raises, it is not a point of privilege, but I appreciate what the member has raised.

Reports by committees?

Mrs Barbara Sullivan (Halton Centre): On a point of order, Mr Speaker: I want to raise a point of order with respect to the Minister of Health's response to proceedings in the standing committee on estimates.

The estimates committee met to review the estimates of the Ministry of Health and to hear the Minister of Health defend those estimates close to a month ago. It was difficult for members of the committee because the Minister of Health was herself absent a substantial portion of the time and the parliamentary assistant was unable to respond for her. In that instance, both the opposition parties stood down their questions so they could speak directly to the Minister of Health and place their questions directly to her.

As a consequence of that, however, the agreed-upon time for Health estimates was substantially decreased. As a consequence of that, written questions were prepared and the minister indicated that the responses to those questions would be available to members of the opposition and to the critics within an immediate period of time.

As I've indicated, those Health estimates concluded close to a month ago. We have not received one response to one of those written questions. The questions themselves were relatively simple and it should have been a fairly straightforward matter for ministry officials to have gathered the information that would be useful to members of the opposition as they proceeded with work in the House.

I am asking you to investigate that entire question. It's a matter of some importance to members of the opposition and to the public.

The Speaker: First of all, I know by the member's experience and activity in this chamber how interested she is in pursuing matters that pertain to the assembly, so I understand the frustration which she explains. She should know that whatever happens in a committee, it is up to the committee to deal with the problem or problems which are brought to the attention of the Chair of the committee. I would imagine that by having raised it here in the House, she has of course also managed to bring it to the attention of the Minister of Health, and presumably by that vehicle will get the kind of response she's looking for. But I appreciate the fact that she raised it here in the chamber.

Reports by committees? Introduction of bills? Orders of the day, the government House leader.

Mr Gregory S. Sorbara (York Centre): Mr Speaker, on a point of order: Just before we in the chamber get to orders of the day, I rise because I suspect that the Minister of Municipal Affairs, who is also the government House

leader, anticipates calling government notice of motion 13. That presents you, sir, and this House with a very difficult proposition. You just undertook to resolve the problem of the member for Carleton, who had the undertaking of the Speaker when last he spoke on Bill 50, to ensure somehow or other, or attempt to ensure somehow or other, that he would have an opportunity to complete his remarks in accordance with the undertaking of the Speaker at that time. However—and this is the crux of the matter—if the government House leader now stands in his place and calls government notice of motion 13, that will set in motion a process which will prohibit you from resolving the dilemma of the member for Carleton.

Let me just explain. You know the terms of government notice of motion 13. It provides that there be no further debate on Bill 150. It provides for one day of debate on the time allocation motion. If we enter into that debate and you allow the government House leader to call government notice of motion 13, that requires us, for the balance of this afternoon, to debate exclusively government notice of motion 13 and to vote on it at 5:45.

The results of that vote are obvious. The government has a majority, and that vote will carry. Then, under our standing orders, the next time the government calls Bill 150, rather than give the member for Carleton an opportunity to complete his remarks, the debate in this Legislature and the carrying of that motion will ensure that the member for Carleton does not have an opportunity to speak.

There are a number of other weaknesses that relate to government notice of motion 13, and those could be debated. I'm asking you now to consider the opinion of certain members of this House and not now, before you've heard the implications of what you do from a variety of members, to allow that motion to be called.

The Speaker: The member for York Centre has quite clearly identified the conundrum. The member raised a question, and I'm pleased to respond.

It is not possible to comply with the request of the member for Carleton to a matter which is not on the floor of the House. Once the matter to which he was speaking is called, the member for York Centre is correct, with the exception that with unanimous consent of the House any member could be allowed to continue.

It is, I guess, in the vernacular, a catch-22. But there is no way to deal with the request from the member for Carleton until the bill is called forward, and at this point the bill has not been called forward. The member is correct that if indeed—I don't know what the government House leader is going to call, but if he calls the order you referred to, there may be a debate and of course a vote. We will find out.

ORDERS OF THE DAY

TIME ALLOCATION

Mr Cooke moved government notice of motion number 13:

That in accordance with new standing order 44a, when the order of the day is called for third reading of Bill 150, An Act to provide for the Creation and Registration of

Labour Sponsored Venture Capital Corporations to Invest in Eligible Ontario Businesses and to make certain other amendments, the Speaker shall put the question forthwith on the motion, which question shall be decided without amendment or debate. If a recorded vote is requested on the motion for third reading, the division bells shall be limited to five minutes.

The Speaker (Hon David Warner): Mr Cooke calls government notice of motion 13. Is it the pleasure of the House that the motion carry? No? Does the government House leader have any opening remarks?

Mr Norman W. Sterling (Carleton): On a point of privilege, Mr Speaker: At this moment, with the calling of this motion which deals with Bill 150, which is the matter on which I was speaking last week, it leaves me in the unenviable position of not knowing what my rights are with regard to this particular matter.

As I indicated, when I not voluntarily yielded the floor but was cut off by the Speaker before 6 of the clock, I was promised another opportunity to speak on this matter.

With this motion being called at this time, what I'm being told effectively now is that Bill 150 will never be called again for third reading debate. Therefore, I would ask you to deal with my problem at this juncture.

1540

The Speaker: I understand the difficulty, and I trust the member for Carleton will also realize that what has been called is government notice of motion 13 and not Bill 150. I fully understand the implications, but there is no way in which I could entertain a debate on something which is not on the floor of the House, as much as I may wish to be able to accommodate the member for Carleton's very legitimate request.

At this point, what's been called is notice of motion 13. I suspect there will be a debate for the balance of the afternoon on this particular motion. Following that, if the government calls forward Bill 150, then I understand the implications.

However, at this moment all I can determine to be of help to the member is the practice of unanimous consent. The member will know there is some time between now and tomorrow for me to attempt to explore other options, and all I can do is assure the member that if there is anything at all which I can do to fulfil the promise that was made by the chair occupant of the time, I will do it.

Mr Murray J. Elston (Bruce): On a point of order, Mr Speaker: Government notice of motion 13 reads as follows: "That in accordance with new standing order 44a"—for the people who are watching on television, those are the new rules that Bob Rae and David Cooke have brought to us—"when the order of the day is called for third reading of Bill 150," several things shall occur.

Can you tell me and advise me whether or not this motion is speaking in relation to Bill 150, the same bill on which the member just rose on a point of privilege, and can you tell me whether or not the subject matter of this government notice of motion is Bill 150? If in fact that is the case, is it then not clear that the topic for discussion today is really Bill 150 and, as a result, we know that if

you allow this debate to go on you will be precluded from living up to your undertaking to the member for Carleton?

The Speaker: To the member for Bruce: The strict interpretation—

Mr Elston: It's 150, right?

The Speaker: The strict interpretation is that by the orders of the House we are debating the government notice of motion—

Mr Elston: About 150.

The Speaker: Which relates to Bill 150, but it is a motion to deal with time allocation and it is not, by the strictest sense of the words, dealing with third reading of Bill 150. The undertaking I have given the member for Carleton is that within the rules I will do my best to accommodate the member. I understand there was a commitment. I may or may not be able to assist the member, but I will make every effort to do so.

Debate?

Mr Charles Harnick (Willowdale): On a point of order, Mr Speaker: My point of order is quite simply based upon the remarks of Acting Speaker Drainville, where he said: "There's no question about that at this point. I'd like to say that, first of all, to the member for Carleton." He says he will have the opportunity to speak; he says there's no question about that.

By carrying on with this motion, what is being called into question is a challenge to a ruling the Speaker made. The Speaker made a ruling, and the effect of this motion proceeding before debate is complete is that the government House leader is challenging an order that the Speaker made. I appreciate, sir, that you were not in the chair, but Mr Drainville, in effect, was your alter-ego; he was, in effect, the person who had control of the chair at that time. For you to turn around and not respect the order that the Speaker made and to permit the government House leader to challenge the order of the Speaker made on July 16 is totally and completely improper. With respect—

The Speaker: Would the member for Willowdale take his seat.

Mr Harnick: Mr Speaker, I'm not finished. I think it's incumbent on you to hear the rest of it.

The Speaker: No. Would the member for Willowdale take his seat. I've tried to explain. Let me approach it from a different angle. The only time you can have debate on Bill 150 is when Bill 150 is called. I have said several times that I—

Mr Elston: Whatever the exigency of the circumstance is.

Mr Harnick: You don't understand what I'm saying.

Mr Elston: Some of the standing orders are to be interpreted literally and some are not, depending on what the situation warrants.

The Speaker: I have said very clearly to the member for Carleton that I will be pleased to take a look to see if there is some way in which we can fulfil the promise that was made. It would be totally improper to entertain debate on any bill which had not been called before the House,

and that's where we're at at this stage. Bill 150 has not been called. What has been called is a time allocation or closure motion and the debate is on closure.

Mr Elston: On Bill 150.

The Speaker: The closure applies to Bill 150 but I do not have the latitude to allow the member to be engaged in a debate on Bill 150. Should the member for Carleton wish to participate in the debate on closure, perhaps his skilled ways as an orator will allow him the opportunity to make the points he wished to make earlier. There is nothing out of order—

Mr Gregory S. Sorbara (York Centre): On a point of order, Mr Speaker: I may be able to provide you with a solution to the dilemma and the conundrum that you find yourself in. Let's just review the circumstances of the problem that we're all confronting under this matter.

On the last day on which Bill 150 was being debated, the member for Carleton had the floor. Just before 6 of the clock there was a power interruption and we brought the House to an early conclusion and at that time the Speaker gave an undertaking from the chair that when Bill 150 was next called the member would have the floor in order to complete his remarks.

What intervened was a time allocation motion, the order that is about to be debated in this House, if you allow it to be debated, a time allocation motion that said in substance that when Bill 150 is next called there shall be no more debate and the matter shall be immediately put to a vote.

That time allocation motion was raised by me and a number of other people in the House yesterday and the Speaker reserved his ruling on whether or not the time allocation motion would be in order. I recall, sir, just parenthetically, that in the arguments I made I presented eight questions to you and two of them related to whether or not a time allocation motion could have the effect of interrupting a member in the middle of his speech.

I listened very carefully to the reasons you gave today in your response but you did not, with the greatest deal of respect, answer that question, whether or not a time allocation motion could have the effect of cutting a member off. Obviously, if someone were engaged in a speech outside on the lawn at Queen's Park and someone else came and arrested that person and said, "You'll have to stop speaking right now," the question of freedom of speech would be at issue. Apparently that's not the case here.

I think probably, sir, in considering your judgement and reviewing the matter you were not aware of the undertaking given from the Chair to the member for Carleton that he would have the floor. That's a ruling of the Chair and the ruling of the Chair has to be abided by and you would have constructive notice of the fact that ruling was already made.

I think perhaps the way in which we could get out of this terrible dilemma, where the ruling that the time allocation motion, government notice of motion 13, is valid is in direct conflict with the ruling made last Thursday, could be resolved in the following way: You could, sir, do one of two things.

You could ask for a 10-minute adjournment of the House in order to try to seek unanimous consent that government notice of motion 13 be amended so that it is deemed to read that when Bill 150 is called once again the member for Carleton is allowed to complete his remarks and thereafter the matter shall be put to a vote. If we could reach that agreement, then we could solve the problem of two conflicting rulings. I'm just trying to be helpful and provide possible solutions. As one member of this House, I would be agreeable both to that adjournment and to unanimous consent to amend the motion to read like that, so that the motion would always have read like that and we would forgo notice.

1550

The second possibility is that you could, given the conflicting rulings, that is, the one to the member for Carleton and the other that this time allocation motion is valid, simply rule now to suspend consideration of this motion until you have had time to reflect on the implications of the conflict between the Speaker ruling one thing and then ruling another.

I prefer the first solution because I think a time allocation motion that at least allows a speaker who has the floor to complete his or her remarks technically comes within these draconian new standing orders the government House leader has imposed upon this House. I ask you to simply go beyond the normal course of business here and look for an immediate solution, including an amendment to the—

The Speaker: To the member for York Centre, first, I very much appreciate his quite helpful and useful suggestion. The member will know that the Speaker does not have the opportunity to amend motions. However, the normal way in which this place functions in a successful manner is when the House leaders are able to reach agreement on matters, and this suggestion that the member for York Centre has indeed strikes me as being a very useful and helpful way for us to proceed.

Perhaps the three House leaders could reach an agreement to accommodate the very thing that the member for York Centre has raised, so that indeed if and when Bill 150 is called forward, the promise of the Chair can be fulfilled and the member for Carleton would have an opportunity to complete his remarks. To me that seems to be a useful suggestion, but it's out of my hands.

Mr Harnick: On a point of order, Mr Speaker: I stood a few moments ago on a point of order and unfortunately, for whatever reason, you didn't want to let me finish nor did you want to rule on my point of order. With respect, I didn't think that was quite proper and it affected my rights as a member. I wonder if I might complete the point of order I was making before you consider the suggestion made by the member for York Centre.

What I was saying, and I don't know if you understood the point that I was trying to make, was that if the Speaker on July 16 made an order and this particular motion that is now before the Legislature challenges the order that Speaker made, it would be improper to proceed with that motion at this time.

That is in effect what this motion does. Government motion number 13 challenges the order that Acting Speaker Drainville made on July 16. Because of that, if you proceed with the motion at this time, and the government House leader has called that motion, you are challenging the order of the Speaker. Therefore, I put it to you, Speaker, with the greatest respect, that this motion is out of order until the member for Carleton has the opportunity to complete his 90-minute speech.

Interjection.

Mr Harnick: May I finish?

The Speaker: To the member for Willowdale, is there something new to add? If the member has something new to add, please go ahead.

Mr Harnick: I really would like the opportunity to finish. I appreciate that you may not like what I'm saying or that what I'm saying may be difficult, and I say that with the greatest respect, but I do think that I am afforded the opportunity to complete my remarks before you twitch to the front of your chair.

The Speaker: I will offer the member for Willowdale an opportunity to succinctly place his comments now.

Mr Harnick: I appreciate that you don't like that, but the fact is that the net effect of this motion is that it challenges the order of the Speaker, and you are the Speaker. If you are prepared to let the government House leader indirectly challenge an order that you in effect have made, then you have lost control of this chamber; you are not able to keep control of this chamber and permit government business to proceed according to the rules. I think you're setting a very dangerous precedent if you proceed and allow this motion that is clearly out of order, because it challenges your order. You're creating a very dangerous precedent.

Before you agree to perhaps adjourn this place for 10 minutes to see if the member for York Centre's suggestion could bear fruit, I think it is incumbent upon you to rule on whether this government motion 13 is in order. If you rule it is in order, I remind you that what you are in effect doing is belittling your own office as the elected Speaker of this House.

The Speaker: It's an interesting point that the member for Willowdale raises with respect to an undertaking by the Chair in a previous sitting. I must tell the member that the ruling made earlier today said that the closure motion was in order. Indeed, that's the point of the program that we're at, having recognized the government House leader.

I omitted to tell the member for York Centre that because it's a motion on the floor, it is amendable. The member for York Centre, or indeed his House leader or any other member of the assembly, may wish to propose the very motion which he has brought to my attention and which may indeed allow this House to steer a clear path through the waters.

Government House leader, continue.

Hon David S. Cooke (Government House Leader): The motion has already been called, so I'm being asked to speak on it. I'll be very brief, because I have to attend a meeting with representatives from—

Mr Harnick: On a point of order, Mr Speaker: I recall about 30 seconds ago standing and putting something to you, asking a question very distinctly, a very different question than what was raised yesterday, and I don't recall having an answer with any reasons provided, as I think I'm entitled to as a member of this House.

I would request from the Speaker an answer to my question as to how this government motion is not challenging the order that Acting Speaker Drainville made. It's not a question that was put before you yesterday. I think it's a question that at least deserves an answer. You may not like the question, you may not want to rule in favour of it, but for the purposes of parliamentary precedent I think I deserve at least a somewhat reasoned response.

The Speaker: To the member for Willowdale, I regret he somehow missed my ruling. I indicated earlier that the government notice of motion 13 was in order. I recognized the difficulty the member for Carleton was placed in and the undertaking by the acting Chair of the time. I further indicated that the only way in which that particular point could be addressed was when Bill 150 was called. That, of course, presents a conundrum with respect to the essence of notice of motion 13; hence the very useful suggestion by the member for York Centre. As the debate proceeds, that member, or indeed yourself or any other member, may wish to propose such a motion as a way to resolve some of the difficulties we now find ourselves in. But I had addressed your point and hopefully with the further explanation the understanding is now there.

Mr Harnick: On a point of order, Mr Speaker—

The Speaker: Is it a new point of order?

Mr Harnick: Yes. Pursuant to your instructions, I move that we amend Mr Cooke's resolution to allow for—

The Speaker: Would the member for Willowdale take his seat. You do not yet have the floor. When you are recognized, indeed you may wish to propose such an amendment.

Hon Mr Cooke: Before I get started, I believe there's an agreement between the three parties that the remaining time be divided three ways and that questions and comments be suspended for the balance of the afternoon.

The Speaker: Agreed? Agreed.

1600

Hon Mr Cooke: Very briefly, on this motion, people have to be reminded that we're talking about a piece of legislation that is before the Legislature for third reading. Third reading in this place has traditionally—

Mr Elston: No, the Speaker said that is not what we are talking about.

Interjections.

The Speaker: Order.

Hon Mr Cooke: We're talking about a time allocation motion dealing with a piece of legislation for third reading.

Traditionally in this place, third reading of legislation has been very brief indeed. The only time that third reading of a piece of legislation takes a long period of time is under two circumstances.

One circumstance is that it's a very contentious piece of legislation and very difficult, and therefore there is some time that is spent during third reading of the legislation. The other time that legislation is debated at length for third reading is when opposition parties want to hold up the business of the House on every item that comes before the House, and that's the circumstance that we're in now. Everything this government wants to do, the opposition parties are filibustering on, slowing down and preventing the government from proceeding with the business of the people of this province.

Interjections.

The Speaker: Order.

Hon Mr Cooke: That's a fact, and if the opposition parties do not like the use of time allocation, then I'd suggest they deal properly at the table and negotiate a schedule for the House. That has been impossible to do, especially with the official opposition. We don't have to use time allocation on every piece of legislation, but we're going to have to use it on every piece of legislation if we continue to be treated the way we have been, especially by the official opposition.

There's one other point that I'd like to make; that is, the point that has been made here this afternoon in terms of the member who had the floor the other night on third reading.

Mr Sorbara: You are so full of it, David, you could fill the whole chamber.

Hon Mr Cooke: You are so full yourself.

Mr Sorbara: The opposition isn't behaving. They are not doing what you want to do. Don't you understand? You have to get through this legislative agenda.

Interjections.

The Deputy Speaker (Mr Gilles E. Morin): Order.

Hon Mr Cooke: I think the member of the official opposition makes the point better than I possibly could. Every time we try to do something in this place, if it's not the way the member for York North wants it, then he threatens the government. That's what happens all the time.

Interjection.

Hon Mr Cooke: I'm sorry—York Centre.

Mr Charles Beer (York North): On a point of order, Mr Speaker: What I would say to the honourable member is that he seems to find democracy to be inconvenient, which is, I think, just about as bad as what he's been demonstrating throughout this week.

Hon Mr Cooke: The one other item I'd like to address is that Mr Sterling, the member for Carleton, was speaking the other night, and when he had the floor and he was speaking on this particular bill—

Interjections.

The Deputy Speaker: I would ask you to please help the Chair. I cannot hear a single word, so I would ask you please to refrain from heckling.

Hon Mr Cooke: If we were to follow the advice that has been made by a number of members here this afternoon, that

the only time time allocation motions would be called—if they were tabled on time—would be after a speech has been completed, in the time, whether it be the 30 minutes or the 90 minutes, then, Mr Speaker, you know as well as I do that you would never be able to move time allocation, because speeches never finish right at 6 o'clock. The fact of the matter is that when we negotiated this rules package, both opposition parties demanded that a time allocation motion must be debated for a full sessional day, so that if today the member for Carleton was allowed—

Interjections.

The Deputy Speaker: I will not accept any more heckling, please.

Mr Sorbara: A point of order, sir.

The Deputy Speaker: Please. You have the floor.

Hon Mr Cooke: Mr Speaker, because the orders—

Mr Sorbara: On a point of order, Mr Speaker: I regret to raise this point of order, but my friend the government House leader has clearly misrepresented the effect of a time allocation motion. He knows perfectly well that a time allocation motion could read that the time shall provide for the completion of a speech and three more speeches or two more speeches or one more hour or two more days or anything else in between.

The Deputy Speaker: Order. I will not accept that word. You have crossed the limit of the type of language that is acceptable. I will ask you to withdraw.

Mr Sorbara: I will withdraw that and say that he has gone well beyond the truth.

Hon Mr Cooke: These are the types of members who are protecting the democratic process. Give me a break.

There is one other point I was trying to make. The member for Carleton had the floor the other night. If I were to allow him to finish his speech today, which had another 80 minutes or thereabouts—

Interjections.

The Deputy Speaker: Order. The member for Etobicoke West, order.

Hon Mr Cooke: If the time allocation motion were to allow the member for Carleton to speak or if we had unanimous consent to allow the member for Carleton to speak, under the new rules of the Legislature, the time allocation motion itself must be debated for a full sessional day. That would mean the time allocation motion would not be dealt with today. The opposition parties understand that and that's exactly what this entire game is about this afternoon.

I understand the difficulty. I understand that the opposition parties will never support any time allocation we put forward. The best way to deal with all these matters is at the negotiating table and it takes three political parties to negotiate. I believe we've tried, and I believe if it's to work, it's going to take all three House leaders. When that starts to happen, then we won't have to bring time allocation motions into the House. In the meantime, we have a responsibility to govern. We intend to exercise that responsibility and this motion is part of it.

The Deputy Speaker: Are there any other members who wish to participate in the debate?

Mr James J. Bradley (St Catharines): I regret that I have to participate in dealing with government motion 13, which in effect is closure on the very important debate on Bill 150 in the midst of the beginning of the speech by the member for Carleton, the Progressive Conservative lead representative in this particular debate, who had, I found, in his initial remarks, some rather interesting and compelling arguments to advance dealing with this bill.

The motion of course is a draconian motion and one to which Bob Rae, when he wasn't the Premier of Ontario, would not have wished to submit. We all remember the lectures, both on the campaign trail and in this very House, and indeed in the federal House, from the member for York South, who is now the Premier of this province, Bob Rae, on the responsibilities of the opposition, the rights of the opposition and democracy. It is ironic that this very Premier, who is noted in his political career for defending the rights of the minority, for defending the rights of the downtrodden, for emphasizing the importance of active, aggressive and vigilant opposition, is the Premier who has brought in this resolution through the government House leader, Mr Cooke.

The implications of the motion, as has been pointed out on many occasions through points of order, this afternoon and perhaps previous to this, are rather drastic. One would have anticipated that when there was a government motion for time allocation, the government House leader would have set out how much time there would be for further debate. Unfortunately, he has chosen not to do so but rather to indicate there shall be no further debate.

1610

What is particularly of concern to me is the fact that this is part of a grand plan. Anybody who can't spot that this is part of the grand plan on the part of the Premier to wrest control from this House and place it in the corner office—that is, the Premier's office—so that more matters can be dealt with by order in council, so that more matters can be dealt with by regulation, so that more matters can be dealt with simply by dictation from the Premier's office and so that the members of this House become less significant—I point out that members are the only elected people in this building and that those who advise the Premier on an ongoing basis in his office are unelected people, so-called experts, so-called spin doctors who advise the Premier on the policies of the province.

There is that determination which I think should concern all members of the House. I don't expect to see a large number of the government members or in fact any member of the government get up to denounce the rules or to denounce what this House leader is doing. I suspect that quietly many of them are thinking: "We call ourselves the New Democratic Party. The member for St Catharines seems to be saying from time to time that we are neither new nor democratic, and perhaps there's some truth to that particular contention."

I wish it were not so. When I sat on the other side of the House, and indeed when I sat here previously and the

member for York South, the Premier, was sitting as the third opposition party, I used to admire some of the stances he took on those occasions in favour of the opposition, in favour of thorough and comprehensive debate on all legislation and public policy issues. Indeed, there are some comments in here—were I to have some time to read them into the record, and I perhaps will leave others to do so—which are rather interesting, from Bob Rae, particularly when it talks about questions to Mr Peterson and others on the issue of House rules.

One of the concerns I have, which I emphasized previously, is that virtually nobody cares about this. I believe you make a judgement on a government and an individual based on what that government or that individual does when no one is looking, when no one is scrutinizing the government. Clearly, this is not an issue which is going to capture a lot of public attention. Some who have a particular interest in politics will come up to us in the street and indicate their concern about how the government is proceeding. But by and large those who report the news of the day will have more important issues for the public to understand. Editors are not going to be interested in columns or in stories about House procedures unless there's what we call a dust-up in the House, some kind of conflict, some kind of unusual manoeuvre by the opposition or the government.

I thought that Carol Goar, who writes the national affairs column for the *Toronto Star*, made some salient points about what is happening to our democratic institutions. She was talking about the House of Commons, but it could have easily applied to the Legislative Assembly of Ontario. She said the following:

"Anyone who looks closely at the House of Commons will see that it is no model for a great democratic institution.

"Vigorous debate is rare.

"Whenever the government encounters heavy resistance from the opposition, it brings in 'time allocation' (a parliamentary procedure which allows the government to cut off debate). Until a decade ago, this device was used sparingly to break protracted parliamentary deadlocks. Now it is part of the regular routine.

"Intelligent discussion of government policy is rare."

Does that sound familiar to members of this House? It should, because that's what's happening to this House under the new rules that Bob Rae has insisted upon having pushed through. She goes on to say:

"Effective committees are rare.

"In theory, committees are the place where MPs can examine legislation intensively, raise issues that matter to them and set aside partisan point scoring. In fact, this only happens in a handful of the existing 43 committees and subcommittees (the consumer and corporate affairs committee, the justice committee and the committee for the disabled). The rest either don't meet, spend their time squabbling, or do little more than rubber-stamp government bills.

"And there are other, less visible, symptoms of decline:

"The government is implementing more and more of its policy decisions through cabinet orders, which do not have to go through the House of Commons, rather than

legislation which can be scrutinized, debated and changed. It keeps changing the rules of the Commons, shortening the time allowed for speeches, cutting back the number of days the House sits and eliminating opportunities for the opposition parties to hold up debate.... And it is turning increasingly to private sector task forces and business-labour boards to address policy issues which were once the responsibility of the country's elected representatives.

"The public has to be made aware of what's happening in Parliament.'" She's quoting in this case Senator Joan Neiman, who is talking about the House of Commons. Mrs Neiman says: "The public has to be made aware of what's happening in Parliament.... The executive (the Prime Minister and his cabinet) has been taking more and more power.

"Opposition has become a meaningless exercise. There is no safeguard against badly flawed legislation. And the greatest tragedy, I think, is that a lot of the backbenchers have lost interest."

"She does not think the trend is irreversible. All it would take to turn things around, Neiman says, is a commitment from the government to allow open debate and a resolve on the part of MPs to put the good of the country before their own electoral prospects."

A rather interesting column. It's the only one I've seen of its kind in a national newspaper. There may be others that I've missed in the clippings services, but it's because it's not a topic that's interesting to those who are in the general public. It is considered by members of the news media to be something in-house or internal and something that is obviously not going to interest their editors.

That's why it concerns me because, as I emphasize again, what a government does when nobody is looking is the measure of that government. When there's close scrutiny, it's easy to be good. When there's close scrutiny, it's easy to do the right thing. But when no one is watching and the scrutiny is lessened, that's when you can make a judgement as to whether a government is being politically ethical or not.

In this situation with Bill 150 we've had one speaker from the Liberal Party who spoke about many of the important issues concerning this bill, about the concerns of the United Steelworkers about certain aspects of the bill and about others who had made representations to committee. Yet we see the government wanting to rush the bill through. The purpose of debating this at some length now is to encourage backbench members of the government to go to caucus and to ask questions of the ministers and perhaps suggest some modifications to this legislation or to allow the public on a more ongoing basis, over a couple of days or three days, to see the important ramifications of this legislation. That is the purpose of debating this kind of legislation.

We're not going to engage in an exercise in the official opposition, because we happen to be in July, to simply rush everything through the way things used to be done. Everybody wants to get out for the summer. Everybody wants to go on holidays. Everybody wants to do this and do that. They don't want to sit in the Legislature. Well, that's not our responsibility. We're paid to do this job.

If we are simply to be glorified social workers, that is, if we're simply there to do our constituency work, to get the birth certificates for people, to help cut down a bit on the red tape that people encounter, then surely we're not carrying out our full role as legislators. That's an equally significant role. It may not get us re-elected. It may not be the thing that appeals to people when you can do something for them on a personal basis, but it's an important part of our responsibility as members of this Legislature. That's why I think this is an important debate. That is why I'm so incensed by the fact that the government House leader, at the behest obviously of the Premier, would bring this motion forward.

We had the spectacle this afternoon that was of concern to me. We had Mr Sterling, the member for Carleton, up for about 10 or 15 minutes. He was guaranteed by the last Speaker, by the Acting Speaker on July 16, with the following words, a guarantee that he would be able to continue, because he got up to ask about that and he was concerned.

Mr Drainville, the Acting Speaker, said, "My apologies to the honourable member. The honourable member will still have the floor. There's no question about that at this point. I'd like to say that first of all to the member for Carleton." He gives an undertaking to Norm Sterling, the member for Carleton, that he will be able to continue, but that undertaking is removed by the government House leader with this particular motion.

1620

This afternoon we had quite a spectacle in this House, something that members of the general public, who didn't get the wide shot, wouldn't see. Everybody was out interviewing the Premier because he leaves early from the question period and takes three quarters of the press gallery with him. He's the most important man and everybody's going to go interview him. I understand that, and I'm not critical of that, but it's a fact of life.

We had Mr Drainville, the member for Victoria-Haliburton, the Acting Speaker on that occasion, an individual who, I might say, I've grown to believe has a very great concern about the way this House operates and who, through his new responsibility as one of the people who sits in the chair, I think has carried out that responsibility, as all of you who sit in the chair have, in a very good fashion.

Recognizing that he had given his word, he rose in the House and suggested that unanimous consent be given for Mr Sterling to be able to speak. He was ambushed by the government House leader with a scowl on his face, obviously telling him, how dare he make this particular suggestion that there be a democratic debate, that Mr Sterling be allowed to at least complete his remarks. I'm sure he would not have extended those remarks for any long period of time under the circumstances.

He was also attacked by the Minister of Energy, who used to be concerned about the democratic rights of the opposition. It was a tag-team match. It reminded me of the World Wrestling Federation, of the Nasty Boys. The Nasty Boys went down to Mr Drainville, who was the innocent person, the good guy in this particular case. His manager,

the Premier, had them go down to chastise this individual, who was simply trying to accommodate a member of the opposition and, even more important than that, was simply trying to be fair.

That's, I think, what those of you who sit in the chair—I know it's a difficult job—try to be: You try to be fair. And what happens? He's ambushed by his own members and he's chased down the hallway now in some disgrace, in some ways—some embarrassment, at least. But I, for one, will stand up for the member for Victoria-Haliburton in this particular case.

I see I'm down to two minutes. I've been told I have only two minutes left, because we spent a lot of time this afternoon dealing of course with other matters of importance to the Speaker and others in this House. I will simply wrap up by saying that it's clear to me that sufficient debate has not taken place on this bill. You know, there wasn't very extensive debate on second reading of Bill 150. Check the record; there wasn't extensive debate on second reading.

There are some important implications. Actually, a lot of this bill, as Mr Phillips, the member for Scarborough-Agincourt, has said, is very supportable. He has said that at least for our party; the Conservative Party may have another view. But there are some points in this bill that are quite good and that we're supportive of. There are some we have concerns about and we hoped the government would be persuaded that those concerns should be addressed. That's why we wanted to make sure the government backbenchers particularly heard the opposition view on this and could go back to caucus and question the minister and say, "Perhaps we should make some of these changes." They might be rejected but, on the other hand, they should be given that particular opportunity.

I recognize that the government wants out; that's the key now. I know, when I sat on the government side, that the day every minister loved was the day of the last question period. I recognize that. They want out desperately on the other side. Certainly today, as we see the Pilkey affair, as it is known now, we know the government is reeling. The government is on the ropes and the government wants out, so we're going to see motions of this kind emanating from the government House leader. But make no mistake about it. The chief architect of this particular motion, the chief architect of the rules changes and the chief architect of the way this government is being run from the corner office is none other than that former new and democrat, the Premier himself.

Mr Ernie L. Eves (Parry Sound): I would like to participate briefly in this debate on this motion this afternoon. First of all, I would like to start out by reiterating the comments I made under a point of order yesterday because I firmly believe this is not a time allocation motion at all, but rather a closure motion which immediately cuts off debate.

I think this is indeed a sad day for parliamentary democracy in Ontario, and I mean that very sincerely, because when we were negotiating and discussing with the government House leader about how time allocation motions would be used and when they might be used, he indicated

to us that he would never introduce a time allocation motion that did not provide for further allocation of time and further debate on a particular piece of legislation. Now we see that the second time he has used this device within a week he has in fact done exactly what he told us he would never do.

Mr Bradley: Does that surprise you?

Mr Eves: Yes, it does surprise me, I say to the member for St Catharines. It really indicates to me that we have sunk to a new low in Ontario. What we've done by an indirect method, by calling a closure motion a different name—and I'm very disappointed that the Speaker has decided to adopt the same line of thinking as the government House leader, because in effect I think the privileges of the opposition parties, particularly in majority governments, have been severely infringed upon. If you carry this ruling through to its logical extension, then the government at any time in the future can introduce what is in effect a closure motion and cut off all debate, any debate whatsoever, on any particular piece of legislation, save and except the second reading debate, and that was not the intent at all.

Hon Howard Hampton (Attorney General): You've finally figured it out, Ernie?

Mr Eves: The Attorney General says to me, "You finally figured it out, huh, Ernie?" If what the Attorney General means by that remark is that the government House leader negotiated in bad faith all through these negotiations and really intended to stick it to the opposition parties and really intended to bring forward rules that say there doesn't have to be any debate or any public discussion on any stage of a bill, then that says something about the government itself. I feel very strongly that was never the intent of the discussions and negotiations which went on among the three House leaders, that was never the intent as to when a time allocation would be used, and in effect this is not a time allocation motion, with all due respect, I say to the Chair. This is a motion of closure. It cuts off debate immediately.

In fact, in this instance it has cut off debate when a member had the floor speaking on this particular piece of legislation. That member was assured by the Speaker in the chair on that day, which was last Thursday, that he would be given an opportunity to conclude his remarks at a later date. We now have a new person in the chair today—not you, Mr Speaker, but the individual who occupied the chair earlier in the afternoon—saying: "I don't care what my colleague who was occupying the chair last Thursday said. I'm not going to let you do that. I'm going to uphold government notice of motion 13 as a time allocation motion and I'm going to let it proceed, and I don't care if the member for Carleton was given a commitment that he could finish his remarks or not and I don't care if he was cut off as he first started to speak." He has 90 minutes to speak and it's my understanding that he only used about 15 of those 90 minutes.

I think this place has sunk to a new all-time low, and I am very concerned about the potential effect of this ruling here this afternoon. I can tell you that my leader was upset

this afternoon, because he approached the Clerk's table and talked to the Clerk of the House about the intent and the good faith of new standing order 44a, which was that time allocation would never be introduced, never, on any stage of a bill, unless that bill was significant enough to have received at least three days' debate on second reading.

That was always the intent of the negotiations. At no point in time did somebody say, "Ha ha, when we get this through, we'll be extremely technical, and if we can twist the arm of the Speaker in the chair at the time, then we're going to stick it to you on a technicality and come in through the back door with closure motions any time we want because we have some political heat every day in question period and we'd like to get out of here."

That's exactly what this is all about. Let there be no mistake that if this were not July 21 and if Mr Pilkey were not in difficulty day after day in question period, there would never have been a motion like government notice of motion 13.

1630

This is politics, pure and simple: "We are trying to cover one of our ministers' behinds and get him out of here as quickly as we can so he doesn't have to be subjected to this stuff every day in question period, and we'll use every trick in the book and there's no depth to which we won't stoop to get out of here." That's really what is being said and I find it very regrettable indeed, and I find it very regrettable that the Speaker who occupied the chair earlier did not take into account the discussions that went on and the negotiations and the good faith and the intent of standing order 44a.

The Clerk was present for part of those discussions near the end of the drafting of the rule, and at no point in those discussions did the government House leader indicate that it was in anybody's wildest dreams that he would walk in and say, after one speaker, "I'll introduce a time allocation motion that cuts somebody off in midsentence and says there's no further debate and we're going to vote on this and we're going to vote on it now." There's a word for that: It's called closure; it's not called time allocation.

Common sense would tell anybody that a time allocation motion has to provide for an allocation of time. That's just common sense. Unfortunately the Speaker who occupied the chair earlier doesn't seem to have any. He is here to respect the rights of the minority and to protect those rights, and in my humble opinion, today he has failed to do so miserably. I don't choose these words without a great deal of thought and remorse, Mr Speaker, I say to you. This is a sad day for parliamentary democracy in Ontario, and it's even a sadder day for the members of this government because they have stooped to an all-time new low to get one of their political colleagues out of the frying pan. That's what this is about and I am very sorry the Speaker has assisted them in this endeavour.

What happened here earlier this afternoon, when I saw the government House leader berate in public, in full view in this chamber, the individual who occupied the chair last Thursday and promised the member for Carleton that he'd be able to conclude his remarks, is totally unacceptable. That is absolutely despicable conduct by a government

House leader in any democratic society anywhere at any time. That is ridiculous. What we saw here today is that the government House leader controls the Chair and he will dictate to the Chair what the Chair will do. That is a very serious matter and I am very upset about it.

Mr Gordon Mills (Durham East): So we can hear.

Mr Eves: Maybe you should hear, because some day, sooner than you think, mister, if you're lucky, you're going to be over here; if you're not, you're going to be out there.

Mr Speaker, I say this is indeed a very serious matter. This is not a time allocation motion. This is a closure motion, pure and simple.

I say to the government House leader, you got yourself and your government into this mess; if you have any class at all, you will get yourself out of it.

The Deputy Speaker: Are there any other members who wish to participate?

Mr David Christopherson (Hamilton Centre): I appreciate the opportunity to join in the discussion this afternoon. Once again, similar to the speeches we heard last week, the opposition members are doing the best they can to make out that it's a black day for Ontario, that an awful lot of terrible things are happening, and painting the worst possible picture they can. Of course, that's their role. But the reality is that if you take a look at the record of Bill 150, you will find that on second reading we had three hours and 24 minutes of debate in this House. Three hours of debate is not insignificant at all.

In addition to that, at the committee level we have already had over three hours of ministry witnesses, we had five hours of private witnesses and three hours of clause-by-clause, for a total of over 12 hours spent on this issue in committee.

As our House leader mentioned earlier, it is the tradition of this House, as I understand it, that third reading is usually a formality or, on a very contentious issue, there will be brief, concise, focused comments by the opposition because they wish to ensure that their opposition to a particular bill is very clear and is there on the record. What we've seen time after time is that there are prolonged debates and on this particular third reading we've already had over two hours' debate.

Interjections.

The Deputy Speaker: Order, please. I don't want any exchange between the members, and if you want to make any remarks, make sure you do so from your seat.

Mr Christopherson: I would submit that everything we are seeing now is a continuation by the opposition of a denial of what happened on September 6, 1990. They have refused to accept the fact that there is an NDP majority government. There are so many folks in the opposition who are so bitter that they are prepared to do anything and everything they can to restrict and inhibit our ability to govern.

By way of evidence, I would point to a comment made by the member for York Centre earlier today even, just today, made in this debate. I'm reading it as I wrote it down; I stand to be corrected by the formal Hansard, but I wrote down that the member for York Centre said, and I

believe he was talking to the government House leader, "Boy, oh boy, my friend, you are going to have a very difficult time getting anything through this House." That sums up the attitude and the actions of the opposition.

I understand that the opposition will claim that that's not the case and that they're in specific opposition to particular bills and actions. I personally do not buy that. My experience to date, sitting here in this House and experiencing and watching the opposition, is that there is every evidence to conclude that the opposition refuses to accept that there's a New Democratic government in Ontario and that we have that right to govern. If you look at the record, you'll see these prolonged debates on third reading, the bills that have been read in the House where they mention every river and every lake in the province, when we have business being delayed time after time, points of order—it's all there in the Hansard. I as one member am convinced that that's why we're here today.

Interjections.

The Deputy Speaker: The member for Oriole, the member for Willowdale, please.

Mr Christopherson: Thank you, Mr Speaker; I'm obviously touching a few nerves. The opposition, I suggest to you, would have you believe that the reason we are here on July 21 is because they want to continue working, that they think the business of the province is so important that they just don't want to adjourn this House; they want to stay here and continue to work.

[Applause]

Mr Christopherson: The member for Oriole applauds those comments. I don't think for a minute the public, nor the media people, nor the pundits who watch what happens here believe for one minute that that's why we're here. I submit that we are here because part of the agenda in delay, in blocking and preventing this government, is to push the Legislature to the limit, beyond what is necessary on the specifics, because they are attempting to prevent this government from governing.

I said this last time I spoke on this type of issue, that if we were not taking the kinds of action that we are today and that we've had to take earlier and, if it continues, that we might have to take in the future, the public would be watching and would be seeing a government that refuses to use the majority it was democratically given, and the first people and the loudest people saying that this is exactly the case would be the opposition members.

1640

I've heard certain members over there—and I said this the last time I was on my feet on this issue early in this term—saying: "You're the government. Grab the reins of power. You've got the majority. Use the levers of power." I think we have found the appropriate balance between the rights of the opposition, the minority parties, and the rights of individual members to speak. I point to the evidence of the amount of time that's already been spent on this issue and on others where time allocation has been used to say that we have found the appropriate kind of balance.

But we also have that obligation to lead, and I think we are doing exactly the appropriate thing that needs to be

done. I do not buy for one moment that we're here because one side wants to work and the other doesn't. I think we're here because the opposition is trying to prevent this government from governing. That's what I think today is all about and that's what I think leading up to today has been all about.

I'd also like to spend just a moment before I take my place to talk a little on what earlier speakers have said regarding the words of Acting Speaker Drainville. It's interesting that so far I haven't heard any of the opposition members just flip the page back one, where we start to look at exactly what happened on July 16. I would suggest that if you look at page 2186, what one sees is the member for Carleton on his feet giving his comments—

Hon Bud Wildman (Minister of Natural Resources and Minister Responsible for Native Affairs): Oration.

Mr Christopherson: Oration, I'm advised by my friend from Algoma, on Bill 150. Then all of a sudden, members will recall, there was a power failure. The lights went out until the emergency lights went on. Hansard, we believed, was out. The rest of the lights in the entire building were out. There was a little bit of confusion and the acting Speaker, Mr Drainville, then says:

"Order, please. I'd ask the House to hold on.

"I'd like to say to the honourable members that at this point we've got emergency power here in the chamber. There's no power in a lot of the building at this point in time. We are going to continue with the sitting. We'll have to see if Hansard is still recording. We are going to continue this session until 6 o'clock. If we are not recording, we'll have to adjourn the House."

There are some interjections, and then the Speaker says:

"Order, please. Hansard does not seem to be recording, so I'm going to recognize the honourable member for Niagara South," our government whip and deputy House leader, "who will give a business report for next week."

Then the Honourable Shirley Coppen stood up and read out what the business would be. At the point where she reached government notice of motion 13 on time allocation, the member for Carleton was back on his feet. The member said:

"On a point of order, Mr Speaker: I realize that Hansard is not there, but I don't believe that it's proper you take the floor from me, and I would comply with your wishes and adjourn the debate."

I would suggest to you, Mr Speaker, that at that point the member for Carleton was on a point of order concerned with what would happen, on motion 13, to the rest of his speech, which is a proper point of order to the extent that he feels the rules are hurting his rights. He was expressing his opinion, as he has done today and as I suspect he may continue to do for some time.

The Acting Speaker then said—and let's remember, motion 13 had been tabled but not called. It had not been called. The Acting Speaker then said:

"My apologies to the honourable member. The honourable member will still have the floor; there's no question

about that at this point. I'd like to say that, first of all, to the member for Carleton."

Those are the memorable quotes that are being used over and over by the opposition, I suggest very selectively and out of context, because if you continue, the acting Speaker, in the next paragraph in Hansard, says:

"We have just received different news that apparently Hansard is recording at this point in time. We did not have that news a moment ago. I would say, with the members' agreement, that if we could go on with the business statement, it being nearly 6 of the clock, we'll adjourn the debate for the day."

Let's understand, Mr Speaker. In my opinion, had there not been the power failure, the motion to adjourn the debate would have been properly in order at 6 o'clock and the member for Carleton would have risen in his place and put the motion of adjourning the debate, we would have carried it, the Speaker would have adjourned the House for the day, and then the next time Bill 150 came back properly on the floor, the member for Carleton would have taken his place. However—

Mr Harnick: On a point of order, Mr Speaker: I will choose my words very carefully, but unless the member who is now speaking is prepared to read the column on the right-hand side of page 2187, where the acting Speaker puts some other comments on the record, where he says, "Apparently it's not necessary. You will still have the floor when we begin this debate again," then says, "The honourable member for Niagara South"—I will choose my words very carefully, but unless the member reads those words, he is attempting to mislead this House.

The Deputy Speaker: Take your seat. First of all, this is not a point of order. Second, I would ask you to withdraw unequivocally your remarks.

Mr Harnick: Mr Speaker, I attempted very carefully—

The Deputy Speaker: I would ask you to withdraw your remarks unequivocally.

Mr Harnick: I withdraw the remark that he was misleading, but I do believe that if he is going to be candid with the people watching—

The Deputy Speaker: This is not a point of order. Please take your seat.

Mr Christopherson: Mr Speaker, I suggest to you in all sincerity that had I been given a chance to complete without being interrupted, the member for Willowdale may not have found the need to stand up and throw the insult across the floor, which, by the way, surprises me. I've spent a great deal of time with the member on committee, and I'm surprised that he would conduct himself in that way.

To wrap up my point on this, I believe I left off making the point that had the power not failed, things would have gone through as usual. The government House leader would have put his motion today and there would've been this debate and that would be it. There would be no reference to anybody having the floor.

If you then continue to read what the Speaker said and what Mr Sterling said, I believe it supports what I said

earlier today on a point of privilege. It says, in the right-hand column of page 2187:

"The Acting Speaker: It's not necessary," referring to Mr Sterling's moving of adjournment of the debate.

"Mr Sterling: It's not 6 of the clock.

"The Acting Speaker: Apparently it's not necessary. You will still have the floor when we begin this debate again." And then the Speaker said, "The honourable member for Niagara South."

Interjections.

The Deputy Speaker: Order.

Mr Christopherson: The point in that paragraph is, "You will still have the floor when we begin this debate again." Therefore, had the motion today—which the opposition is opposing, and that is its right—not been placed by the government House leader, then there was an assurance from the Chair that the disruptions with the power failure and the question of whether or not there was a formal motion to adjourn the debate would not impede his right to have the floor.

However, in light of the motion that was placed today, Speaker Warner has ruled or will rule correctly when he analyses this and says that Acting Speaker Drainville did not give a superseding right to the member from Carleton over and above the motion that was placed today. That was not what was intended by Acting Speaker Drainville, and I believe, Mr Speaker, that you and Speaker Warner are acting appropriately in this case.

It's just further evidence of the opposition's intent. It's their right to set a game plan and carry it out, but I submit to you that it is their game plan to do whatever they can to delay the government and to block the government. Playing with the words of Acting Speaker Drainville is consistent with and part of that strategy, and I'm glad to see that the Speaker is not going to succumb to that kind of trickery.

1650

Mrs Elinor Caplan (Oriole): I rise to participate in the debate today with a real sense of sadness. I've been a member of this Legislature since 1985, and I've had the honour and the privilege of representing the riding of Oriole, which is in the populous heart of Metropolitan Toronto. I represent some 70,000 people from all walks of life, all socioeconomic levels and just about every multicultural community. I've often described Oriole as a microcosm of Ontario.

I come here on their behalf today to express my dismay that the Bob Rae NDP government would resort to these kinds of tactics to limit the rights of debate, to limit democratic due process. It's a very difficult message for me to take back to my constituency because, while I had the honour and the privilege of being re-elected in 1990, many of the constituents in my riding either voted for the NDP candidate or wished Bob Rae well during these challenging times of governing. I wished him well because I believed, when the government was formed in the fall of 1990, that we would see the same champion of democratic rights as Premier of this province that we saw in opposition.

In the very first throne speech from this government, we heard proud words about lowering the cynicism of the

people of this province. We heard proud words and proud commitments to maintain standards of government that not only all members of this Legislature would respect but that would earn the respect of the people of this province.

What have we seen? We've seen that Premier Bob Rae says one thing and does another. What has been the effect on my constituents in the riding of Oriole? Over and over again I hear the same thing from my constituents. They say: "We can't believe that Bob Rae is doing that. We can't believe that the NDP changed the rules of the Legislature to stifle democratic debate. We can't believe that Bob Rae, the former champion of democracy and individual rights, is reducing the ability of members of the Legislature to participate actively in the debates on important issues of the day." They say to me, "We don't believe that this is really happening." They say, "We are even more cynical today than we have ever been before."

I've said before in this House that my constituents frequently say to me: "We like you, Elinor. We think you're different." I tell them that every member of this Legislature who stands for election does so with the best of motivation. I honestly believe that. When they see actions and behaviours from a government which removes individual rights, when they see actions from a government which imposes closure and imposes time allocation and arbitrarily changes the rules to ram legislation through this House, they are disappointed in all of us.

I say to you on the government benches that the reason I'm sad today is that those lofty words in your first throne speech, those lofty words that we heard read in this important legislative chamber, were empty words, were rhetoric, and my constituents have lost faith. They have lost faith in Bob Rae and the NDP, they have lost faith in the New Democratic Party, and they tell me that they are very distressed by the antics of this Legislature.

They know of the behaviour of the NDP when they were in opposition. They know that they were obstreperous, noisy, obstructionist. I was telling them a story. I was speaking to a few constituents the other day and I said, "You know, I rather enjoy the cut and thrust of debate, and I'm enjoying having the opportunity to heckle." It's something I never experienced when I was in government. I sat quietly on the government benches and was the recipient of those same kinds of heckles.

I said to them that this is a new experience for me, having been the receiver of the heckles, and I said: "You know, there are members on the government benches who really believe that now that they are in government, there should be no more heckling, there should be no more criticism. There should be"—and we heard it from the Speaker's chair—"a kinder and gentler Legislature."

My constituents understand parliamentary democracy, and one of them said to me: "We knew that when the NDP were in opposition, they were pretty good pitchers. We can't believe they can't catch." He said, "Not only can they not catch when it comes to the cut and thrust in the theatre of question period, but they are also taking the kinds of actions which are destructive in this society." They are destructive because the fundamentals of our democracy

require that we have the opportunity to thoughtfully debate public policy issues.

There are 130 members of this Legislature. Not every person wants to speak on every issue, but for the government House leader to bring in a closure motion after one member has spoken and another member has just begun his remarks is a signal to the people of this province and to my constituents in the riding of Oriole that democracy is in jeopardy. I say to you, Mr Speaker, that's why we believe this is a sad day. The people in the riding of Oriole often do not understand complex pieces of legislation, and I had hoped to have an opportunity to use the debate on third reading to explain Bill 150, because it is a complicated, complex piece of legislation.

Hon Mr Wildman: You should have done that on second reading.

Mrs Caplan: My colleague opposite, the Minister of Natural Resources, says, "Well, why didn't you do that on second reading?" I'll tell him why. There was an agreement to allow the bill to go out to committee rapidly. There was an agreement that there would be limited second reading debate. That often happens here. Frequently in this Legislature there are agreements that will allow certain parts of the legislative process to be expedited, and the reason that happens is because there is usually good faith, knowing that there will be other opportunities for members to speak.

Let's just for a minute review the process. We had first reading, which is pro forma debate. Second reading is debate in principle. It can be protracted, but it can be shortened, as this one was: less than two full days of debate, as we heard, three hours only for second reading of this very important and complex piece of legislation.

1700

Out to committee for five days of hearings: There's no debate at committee. At committee we listened and we heard from many deponents. Amendments were placed during clause-by-clause. I sat on that committee. A lot of important work was done, but many questions were unanswered. We all knew we would have an opportunity here in this Legislature, during committee of the whole debate or during third reading debate, to make those points and also to use the time that was not available during second reading to explain in this House in front of the television cameras—and that's important, Mr Speaker. Why in front of the television cameras? Because people watch the proceedings of this House. They listen to the debates. They learn about the items we are discussing and they understand it better because they have participated in that way.

We have virtually no third reading debate. Many good points have been made by my colleagues. There is much sadness in this House today. I believe, as I've said before, that every member of this Legislature can make an important contribution to public policy in the democratic process, whether he sits on the opposition benches or on the government benches. Every member of the Legislature can make that contribution, unless the government of the day takes away those rights.

What we see today with this time allocation and closure motion is a sad day for democracy. Our rights to represent our constituents have been taken away and the people of Ontario have not been well served by the champion of civil rights, the champion of democratic rights, Bob Rae of old; Bob Rae, Leader of the Opposition. Now Premier Bob Rae has betrayed the trust of the people of Oriole and I say to him and to his government, shame.

The Acting Speaker (Mr Noble Villeneuve): Further debate?

Mr Harnick: This is indeed an afternoon of true destruction in the Ontario Legislature. In one afternoon, the government has effectively eviscerated the office of the Speaker, made a mockery of the standing orders by which this place is governed and proved that the standing orders—the new standing orders the government amended—were amended without the use of good faith on behalf of the government side of this House. All that has been accomplished in one afternoon. They haven't done so much in this Legislature since I've been here for the past two years. This is the most work this government has done. This is the most they've accomplished in the whole time I have been here.

I think there's a misconception in terms of what the public is seeing and what the government is trying to tell them. We were supposed to come back to this House, I believe, on March 23. We ended up coming back on April 6 and the reason was the government just couldn't get ready in time, for whatever reason, to begin to govern in this Legislature and to begin to present and pass its legislation. We came back two weeks later than we were supposed to return. We then came back and sat here for the month of April, the month of May and half the month of June without any legislation being presented.

Today we're standing here and we were all expecting that we would be continuing the debate on Bill 150. This bill was first brought forward in this House on November 6, 1991. It received second reading on December 18, 1991.

Hon Mr Wildman: It then went out for consultation.

Mr Harnick: It then went out for consultation and was ready to come back to this chamber in April 1991. Well, this bill didn't show up in this place until July. What was happening in the interim? I keep hearing about this magical, third reading concept that we really don't debate on third reading, that third reading's just a formality, that we kind of take the bill and just push it through and stamp it.

But this bill is interesting bill. It's a pretty thick bill; it's 54 pages; it's 51 sections altogether. I tell you, Mr Speaker, that 42 of those sections were amended. There were 42 amendments as a result of the committee procedures and that was a committee consisting of 12 people of this Legislature.

It is now back before the Legislature in a very different form than what was here when we last had the opportunity to debate this piece of legislation, and the members of this place now have the opportunity to debate the balance of this bill. We've never had that opportunity before in the form the bill now has. We heard one speech by the Liberals and

we've now moved over to the second speech. All this is being done pursuant to these new standing orders, these newly amended rules of the way this place works.

Just to tell the people who are watching what this is really about, we have a bill that's about to be debated and it's now going to be debated based on the government's new rules. The government's new rules were passed in this place at the end of June, about three weeks ago. This is the second bill that has proceeded under the government's new rules.

Rule 23a(b) states, "Notwithstanding clause (a), the first speaker for any recognized party in the House may speak for not more than 90 minutes" in third reading. Well, third reading gets here and the member for Scarborough-Agincourt took 90 minutes. He presented the position of his party in an excellent way and put it on the record so that the people of Ontario could see what some of the deficiencies in the bill were.

The next thing that would happen is that my party would then have the opportunity to do what the Liberal Party had the opportunity to do, and the member for Carleton stood here with the expectation that he would get the same 90 minutes to speak about these 42 new amendments. He stood for 15 minutes and the day ended. In the interim, what did the government do? Well, they brought a closure motion. But it wasn't the usual closure motion; it was really a wolf disguised in sheep's clothing. What it was, was a motion pursuant to rule 44, one of the government's brand new rules—

Mr Elston: It is 44a.

Mr Harnick: It is 44a.

What this section says is: "The government House leader or any minister of the crown may move a motion with notice providing for the allocation of time to any proceeding on a government bill or substantive government motion."

Now, the interesting thing was that the motion didn't allocate any time. What it said was: "We're not going to allocate any time like the rule said. We're going to go ahead and we're going to pass this motion, and the motion is going to call for the question to be asked right away. In other words, we're going to vote on the bill right away and we're not going to allow any more debate, even though only one person has spoken on the 42 new amendments." And the next party, my party, only had 15 minutes to speak. So what did they do? They took this section that they newly created and put into the rules, and this section, Mr Speaker, as you well know, does not give you as Speaker any discretion.

The real rule that deals with this is rule 45, which gives you discretion, and your discretion would be exercised to stop debate if there has been real and meaningful debate. The government House leader, well, he knew that he could never succeed on that rule so he decided to move on the rule that doesn't allow the Speaker discretion and, lo and behold, what happened today? What happened today was that we found out that motion was in order, that motion was accepted by the Speaker, and effectively the debate on this very important bill has now been completed.

It's been completed without the opportunity for my party, save and except for 15 minutes, to put on the record the deficiencies that we see in the bill and even some of the good aspects of the bill that we were prepared to discuss before this chamber. The fact is that what this government has done flies directly in the face of its orders, which say we are supposed to have at least 90 minutes to speak on a given bill. They have cut the legs right out from under the speaker from Carleton and what they have done has been totally in disregard of the rules.

1710

There's a reason they've proceeded this way. The reason, I believe, is that they have negotiated these rules not in a manner of good faith. They have negotiated these rules because this government has created a pattern of riding roughshod over the opposition in this province. This government blames the opposition for the difficulty in getting legislation through. I'll tell you why they can't get legislation through. They can't get legislation through this place because basically they're incompetent, they are totally and completely incompetent. They have a House leader who instills so little trust that when he sits down with the other House leaders they can't come to any agreement to do anything the easy way. The way these rules were negotiated and the way these rules are now being implemented is proof of that very fact.

Interjections.

Mr Harnick: As the member for Hamilton Centre said, it seems I've touched a nerve. There is not anyone in this House, and I suspect even the government backbenchers would agree with me, who has any faith in the government House leader, none whatsoever.

Let's look at the record of this government in terms of dealing with certain issues. We've had the Martel affair, and I don't need to remind everyone that that was the affair where the minister admitted lying and took a lie detector test to prove that she was correct, that she did admit lying. The people of the province all remember that aspect about this government.

Before that we had the Farnan matter. This is the matter where the former Solicitor General's staff was writing letters to try to fix traffic tickets on behalf of constituents. He denied it and denied it and denied it, but he's no longer the Solicitor General.

We now have the matter of Mr Pilkey. Mr Pilkey claims he doesn't know anything about or knew nothing about what had happened at the correctional institute in Hamilton. He may not have known anything about the Bell Cairn institute or what happened there, but everything this government has done has gone to convince the people in this province that there is something being covered up. They won't answer questions, they won't have a public inquiry, they won't let anyone speak with the deputy minister, who is now the fall person. It can only lead to the conclusion that this government has something to hide.

I've been here for almost two years now, and each sitting I have had the opportunity to participate in has ended with the government in some kind of scandal. What's the government's reaction to that? The reaction is

closure. The reaction is new rules. The reaction is to send out the OPP to investigate members of the opposition in their offices. The reaction is time allocation. Then there's the reaction of the government House leader today, who says, as if he were the Speaker of this place: "If I'd allowed the member for Carleton to speak, well, how could I do that? We've got very important business to push through here."

The reason this government cannot get the business of its agenda done—and when I think of agenda I can't help but think of the Agenda for People; that's really its agenda, the disastrous agenda, that seems to have fallen off the table. But the reason they can't get the Agenda for People through this Legislature is because they're incompetent. They're incompetent every single day of the week. Every single day of the week they come here with legislation and they can't get it through. They can't get it through because they don't know how, they don't have the trust of anyone in this province. They were elected by 38%—I'm sorry, I'm exaggerating; I think it was 37.5% of the electorate. They're now down to 25% and they want so desperately to get out of here and get this stuff rammed through that they don't want to allow any more debate.

They're at 25%. One of the reasons they've slipped to 25% in the polls is because everybody remembers the Martel matter. Everybody remembers that it was Shelley Martel who admitted lying, and they say: "What kind of standards does this government have? What kind of standards does this Premier enforce?" That's what they remember.

Now that they're at 25% we see those standards of the Premier popping up to the fore again, because every day in question period we get to hear from Mr Pilkey: Mr Pilkey who knew nothing about what was going on in his ministry, Mr Pilkey who never went to the meetings within his ministry.

The Acting Speaker: Order, please. I'm sure the honourable member knows that when referring to another honourable member you would use either his title as a minister or the name of his riding. I just want to remind you that that is customary, and I would appreciate you following that custom.

Mr Harnick: Yes, Mr Speaker. I believe he's the member for Oshawa and he's the minister of corrections.

This particular minister never goes to work. He never goes to the meetings. He knew nothing about what was going on in his ministry. He's muzzled his deputy minister, who, I might add, has been very unceremoniously removed from her position after a distinguished 20-year career. That's the person they're going to lay this all on.

All this government wants to do is get out of here, because it's at 25% in the polls and the public is now watching yet another government scandal, they're watching yet another government indication of incompetence.

Hon Mr Hampton: Come on, Charles. Give it a rest.

Mr Harnick: The Attorney General says to me, "Give it a rest." That is the attitude of this government. They want to give it a rest. They want to get out of here. They want to go to picnics and barbecues. They want to give out grants. They don't want to have to refer to the record they

have. They don't want to refer to the Agenda for People. They don't want to talk about auto insurance. They don't want to talk about that flip-flop. They don't want to talk about the betrayal to innocent accident victims. They don't want to talk about their terrific budget.

This Agenda for People was really interesting. I look at the 1990 budget plan they sold to the people in the province. They said they were going to have a \$36-million surplus at the end of the day. Well, they were only \$9 billion out. You know what? I'm really sorry they didn't tell us about 1991-92 or 1992-93, where the surplus is now climbing to \$15 billion.

They just can't wait to get out of here. Because of that, they want to be arrogant, they want to change the rules and they want to manipulate the rules in a way they promised they never would. They want to get out of here and they want to blame all of their ills on the opposition.

I can tell you that the opposition didn't cause the Martel matter; we didn't lie for Martel. The opposition didn't cause the problem Mr Pilkey is in. The opposition didn't cause the former Minister of Health to blurt out the name of a patient who was receiving services from OHIP. We didn't do all those things. That's why we're here now. We're here now because of the government's incompetence. That's why they can't get their legislation through.

As I started out to say, in one afternoon this government has accomplished more than it's ever accomplished before. They've eviscerated the office of the Speaker. They've made a mockery of the standing orders. They've proved that the standing orders are not being used, and have not been amended, in good faith.

Whatever trust was left on this side of the floor and, I submit, within the general populace of this province, whatever trust there was in this government, whose rating is now down to 25%, I suspect has totally evaporated. Quite the contrary to the Premier winning the trust of the people because he was going to run an honest and decent government, the opposite has happened. Their actions in this House are absolutely what the people in Ontario can see and what they will not believe in. It speaks volumes and volumes.

The Acting Speaker: Further debate?

1720

Mr Kimble Sutherland (Oxford): I'm pleased to get up and join in the debate today. I'm particularly pleased because I sat on the standing committee on finance and economic affairs, which Bill 150 went to. We've heard some comments that we haven't had adequate time to debate this legislation. We've also had concerns that members haven't had an opportunity to speak, to explain it to their constituents.

I think it's important that we remind everyone in this debate of some of the comments my colleague the member for Hamilton Centre mentioned: We had a second reading debate and, sure enough, probably not as much time as all of us would have liked to have, but decisions have to be made on how much time we can spend on all types of legislation.

It then went to committee and was going to be brought forward for some discussion at that time. The opposition—

Mr Harnick: There are 42 amendments that have never been debated. Answer that.

The Acting Speaker: Order. The honourable member for Oxford has the floor.

Mr Sutherland: Maybe if the member for Willowdale was willing to go and check the Hansard from the committee he would find that the comments he just made may not be appropriate in the sense that what occurred at the committee was the following: First of all, the opposition, when the legislation was introduced, had raised some concerns. The ministry went back, responded and brought forward amendments to try to address some of those concerns as well.

The member for Willowdale has mentioned in his debate that there are 42 amendments. If he'd go back he would see that the majority of them were what you call substantive amendments. As a result of certain changes, wording changes had to be made in other sections. The vast majority of his so-called 42 amendments are a result of that. We know when you change legislation that does occur.

To say there wasn't proper debate—there was. We had 12 hours; we had hearings, we had groups come in. Yes, some groups were in favour, other groups weren't. Then we had clause-by-clause. There was an opportunity for both opposition parties to bring forward amendments. I believe the official opposition brought through three or four amendments. One or two of them were adopted in there. I don't remember whether the third party brought forward any amendments at that time.

We had a good, substantial debate. The member for Oriole indicated earlier it's a very technical bill and she wanted an opportunity to explain it to her constituents. Of course we went through all the technical aspects at the committee stage and she could send out committee Hansard to her constituents if she wanted to explain the technical aspects.

We've also heard comment here today that there are 130 members and we all should have the right to speak. I'd like that too. I'd like to speak on every bill. There have been many pieces of legislation that I haven't been able to speak on. I want to tell you a few reasons why.

I want to cite one example specifically. I remember when we were dealing with third reading of the gas tax bill from last year's budget—not 1992; the 1991 budget. We were into third reading on that and I believe it was the member for Ottawa West—it was about gas taxes—the member for Ottawa West took an hour and a half at least on third reading to talk about it. Fair enough. He has concerns, as the opposition has been saying, about tax increases to gas prices. But under the guise of the rules and using a very liberal interpretation, the member for Ottawa West probably spent about five to 10 minutes actually talking about the gas tax increase.

What he spent most of the time talking about was the fluctuation in gas prices in the Ottawa region. That might be a very valid concern. It might be a very important issue in the area. In terms, though, of supporting the opposition argument that they haven't had enough time to debate legislation, when someone is spending over an hour talking about stuff which I would say is not directly related to the

legislation but has some relevance to it, for them to come back and say they don't have enough time to debate legislation really makes me wonder.

That's only one example that comes to mind. There have been other examples.

If the members of the opposition had wanted to debate the actual legislation rather than making political speeches—and sure enough it is a political place and we all like to do that, but there have been ample opportunities to do it. I would suggest that all of us—and I won't say they are the only ones who are guilty of it—have to learn to keep our points succinct and relevant to the specific issue at hand. If we all did that we'd have far more time to debate the issues and the actual legislation.

I don't think anyone here or on the government side is jumping up and down with glee about the fact that time allocation has to be introduced. We all would like to have adequate time, but it is very difficult.

Finally, the comment I want to end with is on this whole question about time allocations and talking about democratic rights and how this opposition says, "We won't be able to get an opportunity to get our message out to the people unless we have two, three hours each to talk about an issue in this House." While what goes on in this House is extremely relevant in terms of passing legislation and we should all hold this place in high esteem, ultimately we all know in our heart of hearts that the actual debate and whether a piece of legislation is accepted or not is not won or lost here in this House. It is won out there in the public with the people, the people who voted all of us here and the people who make the decision once every four years.

So I think all of us need to keep that in mind when we get on our somewhat righteous horses, saying how much time we must have to be able to debate this issue, and "My democratic rights have been limited." Democratic rights aren't infinite, that you can have as much time as you want. There are limits on that. We live and we have to interact in a society. There are limits on my democratic rights all the time. I have to accept that as an individual in a society.

What I'm saying is that in here, given time constraints, the number of members and the number of pieces of legislation, we have to accept that. But in the long run, no member's democratic rights are limited. They can still go outside. Heck, they can go directly to the people in their own communities and talk about a piece of legislation for as long as they want, for that matter. Ultimately the decision about whether a piece of legislation is valid or whether it has the support of the people will be decided out there with the people directly, not here in the Legislature.

The Acting Speaker: Further debate? The honourable member for Durham East.

Mr Mills: I'd like to spend a few minutes speaking to Bill 150.

Mr Elston: We're going to compare this to one of your first speeches.

Mr Mills: Good.

I'm waiting for the Speaker to get in his place. He's not paying attention.

Mr Speaker, it's a pleasure for me to be here this evening to debate this Bill 150.

Interjections: Motion.

Mr Mills: Motion, okay. I'm sorry.

I used to watch the proceedings in this chamber before I was elected here. I was one of the most avid watchers of this Legislature, and when I came here to watch the proceedings I must say that I wasn't surprised. I have watched members in this Legislature debate an issue round and around and around. I've switched off my television, I've gone out to cut my grass, which is a considerable amount, picked off the dead flowers and came back in with the hope that we got someone new up with some constructive ideas, but lo and behold, the person would still be talking and I'd cut the grass and done many things.

1730

This is what this is all about. We can talk succinctly to a matter and we can get our message across. If I had gone on like this in my last job, I'd have been fired for wasting so much time. I couldn't last. I'd have been fired because I'd lost so much time.

I won't name the members, because they're not here. Out of respect, I won't give their names, but there's a certain person who sits over there who spoke at length one day—I believe for four hours—and went round and round the mulberry bush till I was sick to death of everything that person said. Is that constructive, Mr Speaker? Of course it isn't constructive, and the people whom I represent also know it isn't constructive. They know it's a waste of time and they tell me so.

The member for Oriole said she loves it. She likes speaking so that the people understand. I've got news, Mr Speaker. The people I represent don't need me to speak for four hours to understand something. They can understand what I've got to say in about 30 minutes at the most, and if it's not worth saying in 30 minutes, it's not worth saying at all. This stuff is absolutely ridiculous. Let's face it, they don't like us, and this is part of it.

Mr Speaker, I must share with you what was in my local newspaper. When the figures came in on what we spent down here, I said to the people I represent, "I spent \$20,000 less in my first year than the member over there spent in his last year." Do you know what the newspaper said? It said, "Well, money wasn't short then, Gord." Can you believe it? I can't win and our government can't win, because they just don't like what we're doing. I'm glad about what we're doing here.

Mr Chris Stockwell (Etobicoke West): Oh, Gord, I like you. Gord, we got three more minutes. Tell us everything you know.

Mr Mills: I've got two minutes and 30 seconds.

The member for Oriole was here and spoke about the people she represents. I must say that, generally, intelligent and reasonable people in Ontario are very aware of the need for what we're doing here. They, like me when I was an ordinary citizen, are sick to death of this nonsense.

Mr Speaker, I want to tell you that my people were sick to death when that party over there stood and read for hours and hours all the rivers, lakes and streams in Ontario.

That was a disgusting waste of time and taxpayers' money at \$250,000 a day, absolutely disgusting. Then they had the grand audacity to read out in slow motion the names of all the failed companies in Ontario that went under due to free trade. My friends, if you think that was smart, if you think the people loved you for that, they didn't love you at all. It was a stupid waste of time, government money and taxpayers' money.

Mr Speaker, I could go on but I'm a man of short words. They've got the message. I don't need 30 minutes to tell them what I think about it.

The Speaker: Further debate?

Mr Drummond White (Durham Centre): In the short time left, I would like to make a short distinction between debate, discussion and investigation, which we've had, and a waste of time. We have had this afternoon what I would call, paraphrasing Macbeth, a tale told by an idiot full of Scotch and fury, signifying nothing.

Mr Elston: You stop talking about Gordy Mills that way. What are you doing to Gord Mills? Why don't you like Gord Mills?

Mr White: My friend Mr Mills put it right. We weren't elected to waste time; we were elected to represent all our constituents and to put in place legislation that meets the needs of our province.

Mr Jackson: On a point of order, Mr Speaker: The member should withdraw his allegation that the member for Durham East was consuming a Scotch. That was implicit in his statement. I should ask him to withdraw that comment.

Mr Harnick: He said he was an idiot.

Mr Cameron Jackson (Burlington South): And that he was an idiot as well. Both were unparliamentary. I have known the member for Durham East and I don't think he deserves that treatment by his own—

The Speaker: The member for Durham Centre.

Mr White: I would like to clarify that it was not in any way a reference to my good friend Gord Mills, with whom I spent the better part of the day and whom I know to be sound and sensible.

The Speaker: Further debate?

Ms Dianne Poole (Eglinton): I wish I could say that it is a pleasure to speak in the debate today, but it gives me no pleasure to speak on a closure motion. However, I feel I owe it to the constituents of Eglinton to tell them why I will not be speaking on Bill 150.

We have had two closure motions within the past week, and ironically—or maybe not so ironically, maybe very astutely—the government had brought in rule changes to make these closures possible. What the press covered was the fact that the rule changes limited speeches to 30 minutes, but it missed the major part of the issue, the major part of the problem, and that was the time allocation, which most people call closure.

These new rules now provide that on second reading debate there can only be three days of debate and then the government has the right to bring in closure. On third reading the government can bring in closure after one day of

debate, and debate ends. What does this mean? This means that now with these rule changes all debate from first to third reading in this Legislature can now be terminated in six days total, no matter how controversial the legislation is, no matter how unsupportable the legislation is, no matter whether we have amendments that we wish to pursue or a message to give to the people of this province, or whether we would like to bring the views of this province forward in the Legislature. Now that is not possible.

Also, Mr Speaker, there is no longer an opportunity for you, as an impartial and independent Speaker, to determine whether there has been sufficient debate.

I think several of my colleagues have mentioned on Bill 150 that there are actually a number of provisions in the bill that we support; however, there are other areas where we have concern. Now, on third reading, after having only one speaker for the Liberal Party and one speaker for the Conservative Party—and the Conservatives have been limited to 15 minutes of debate on third reading, which I think in anybody's measure is most unfair—the government again, for the second time in the past week, brings in closure to cut off debate, to cut off the voice of the opposition, to cut off the voice of people in this province who want legislation thoroughly debated.

I had the same concern about Bill 40, the Ontario Labour Relations Act amendments, when they were closed off last week. I can tell you that two weeks ago, when the government introduced closure on Bill 40, I was never so furious in the five years I've been elected as on that night when they brought in closure, because I had prepared a speech, a speech which included the views of the people of Eglinton, very thoughtful letters about this legislation and concerns that were to be brought forward. I was denied the right to speak for my constituents, the constituents of Eglinton. My constituents expected me to echo their views, to bring forward their views to this place, yet I was denied that right.

Mr Speaker, you will remember that a number of months ago I brought forward a point of privilege in this Legislature about actions of the Office of the Ombudsman which I felt denied my right as a member. My point of privilege was that the Ombudsman's office was trying to usurp the role of MPPs with its advertising campaign urging people to phone the Ombudsman's office if they have a problem at Queen's Park. That, as you know, Mr Speaker, is our job as elected members, to represent our constituents in order to help solve their problems.

1740

To compound that particular situation where I felt the Ombudsman's office was trying to take over the job of the MPP, then with these new rule changes, and particularly with Bill 40 and now with Bill 150, I am told I cannot speak on behalf of my constituents. I have to ask the question, why am I here? If the Ombudsman is going to do my constituency role and if there's no place for me to speak in this Legislature, then why am I here? Why are any of us here?

The member for Hamilton Centre in his remarks said that the opposition was just complaining and trying to restrict the government's ability to govern. I can tell you, it is not the opposition that is restricting their ability to govern. There are a number of factors that restrict this ability.

The first is their lack of ability in their caucus and their cabinet. The second is that they have been unable to provide a direction for the people of this province. They have plunged our province into massive deficit. They have introduced flawed legislation, such as the Advocacy Act, which is now going back to committee for the second time, it was so badly drafted. They have reversed themselves on policies such as auto insurance, Sunday shopping and rent control. They have been riddled with incompetence and scandal.

If there is a reason this government does not have an ability to govern, it does not lie at the feet of the opposition. It lies on their own side of the House and their lack of ability. That is what has restricted their ability to govern.

The second point made by the member for Hamilton Centre was that there's a great difficulty in getting anything through this House. Maybe I should point out to him that the calendar for this Legislature provides that we were to go back on March 9. When did the government call the Legislature back into session? They called it back on April 6, four weeks later. Lo and behold, we have now been sitting three extra weeks in this Legislature, and they claim they can't get anything through the House.

Well, the first reason was that they didn't call the House back into session. They didn't have their act together. They didn't have their marbles and they probably still don't have their marbles, with the exception of you, Mr Speaker, for whom I have the greatest of respect. They can't get their act together, so they say, "We'll delay the House until we can get our ducks in a row." They still haven't done that either.

The second reason that there is difficulty in getting things through the House is a lack of cooperation among the three parties. That is very true. But I would ask NDP members in particular to take a look at why there is a lack of cooperation. There is a lack of cooperation in this House, greater than I have ever seen it and greater than many members in this House who have been here far longer than I have ever seen. That is because of the government House leader. There is no trust on this side, and there is no trust for very good reason. The government House leader has played fast and loose with the opposition party. We cannot trust his word, we cannot trust his actions.

The latest example of this just occurred in an interview which appeared today in the London Free Press. The story was about London annexation. Yesterday, for the first time, the government brought forward Bill 75, the very controversial London annexation bill. They brought it forward for second reading—the first time. In fact, it was only with the goodwill of the two opposition parties that the government was allowed to do this. The Liberals and the Conservatives allowed the NDP government to bring forward this legislation, even though, because they had delayed introduction till the end of June, they were not allowed under the rules of this House to bring it forward. Our party cooperated because this is very controversial legislation, very important legislation, and it is important for the people of London to have opportunity this summer to speak their piece, to give the government a message about this legislation

and the process that they feel was missing in formulating this legislation.

What the government House leader then did was to go to the London Free Press and give an interview where he said the people of London will not have an opportunity to speak to public hearings this summer because the Liberals are blocking the legislation. Can you imagine that, when it was their ineptitude that resulted in the legislation being introduced late, when they did not even attempt to bring it forward till yesterday at the earliest, and when we have had only two hours of debate on this extremely controversial bill? The government House leader has the gall to try to blame it on the opposition. This is just one example of this government House leader and how he has sabotaged the way this Legislature has worked for years.

There is no doubt that many times we as legislators have wished this House operated more efficiently. We would have been willing—we were willing—to look at rule changes to make that happen. But what this government has said is that it cannot govern, and therefore it will shut off the opposition. Six days total to get a bill now from first reading through passage on third reading. I ask the members of the New Democratic Party, which I believe is now the non-democratic party, to look in their hearts and tell us that this is democracy. This is not democracy; this is tyranny of the worst order. I believe that what they will have done is sabotage this House from working at all effectively, because we aren't going to give you legislation until we have debated to the fullest extent possible. So I warn this government: Mend your actions or you're not going to get that cooperation you seek.

Mr Stockwell: It's rather difficult to begin debate on a venture capital item that this government speaks about when you're dealing with a motion of closure, and in all of 15 minutes—I'm sorry, some 11 or 12 minutes—you have to deal with both aspects. That's even less than before. I got 14 minutes on labour legislation, and now I'm left with 11 minutes on something that is I think very important to the pension holders who are involved in this type of legislation.

First, with respect to the rule changes, anyone who wants to suggest that the rule changes were fair and equitable is not really dealing with it in a very uphanded manner. The fact is that you can't negotiate with a gun to your head, and that's exactly what took place. The government put a gun to the head of the House leaders and the opposition parties and then said, "Negotiate." Now they stand back and say, "The Conservatives agreed and the Liberals were petulant." That's not the way to negotiate. I'm really surprised this government would negotiate in that fashion, considering its labour background.

Having said that, we move to this closure motion. I want to read into the record from April 17, 1990. The then Leader of the Opposition, our Premier, Mr Bob Rae, while questioning in this House, asked a question of the Honourable Mr Ward about the closure motion.

Mr Bradley: Is this Bob Rae?

Mr Stockwell: Mr Bob Rae, the Premier of the province, with respect to a closure motion. It's very important that

this government listen, because this is what your party used to stand for. Bob Rae said in the House on April 17, 1990:

"I want to say to the government House leader that in my experience a governing party which thinks it can suspend the rules of this place with a majority, against the will of the two opposition parties, is a government that is so enmeshed in its own arrogance that it knows nothing of the basic rules of democracy. That is the kind of government we have today."

Mr Bradley: Who said that?

Mr Stockwell: Mr Bob Rae. That is a very well-taken, well-documented bit of history, history you could probably shove down the yaps of the government members today and something that probably should be shoved down the yaps of the government members today. They sit here today and tell us about closure motions and tell us about opposition parties taking time to speak, taking time to represent their constituents, as if Peter Kormos doesn't exist, as if the 17 hours never happened, as if the Treasurer didn't spend two and three hours standing in this place giving his position on a number of important bills. These people make the Clampetts look like academics, with the kind of action we see today.

1750

It's not very surprising to me to hear the member for Durham East tell us that he can tell us all he knows about any issue in 15 minutes. That doesn't shock me. In fact, I'm surprised it would take that long. But sometimes, once in a while in this House, we are dealing with issues that are a little more important, that hold a little bit more sway, than 10 or 15 minutes. That doesn't mean the government can decide that what we have to say over here is no longer important, that what our constituents feel is academic, that what we think needs to be said doesn't interest them.

You forgot the basic principle of democracy. You're a governing party; we know that. You can do as you wish and you've proven it on a day-to-day basis, but you can't stop opposition from opposing. They say, "The opposition parties are not deferential to our position in power." Hold the presses, Mr Speaker; stop the presses; hold page 1. They're accusing the opposition parties of opposing the government. Oh, my goodness, now there's news. We in opposition are opposing the government and not allowing it to get its legislation through. What the heck did you think was going to happen? Did you think we were going to sit here for three months, six months, a year and simply hold our hands up and say: "Go ahead. Do whatever you want, even though we are diametrically opposed to whatever you're doing"? Of course not. Get it through your heads. We are not cooperating because we don't agree with what you're doing.

I don't agree, no, and I hope my constituents who elected me don't agree either. I don't think a lot of people in this province agree. If you don't like that, that's the power of government, but you can't tell everyone in the world to be quiet, shut up and go away.

Interjections.

The Speaker: Order, the member for Chatham-Kent. Perhaps the member for Etobicoke West would address his remarks to the Chair.

Mr Stockwell: The other point I want to address with this government—and it's another shocking revelation, I think—is that this government has so often aligned itself in the past with advocacy groups, labour unions and so on that it doesn't understand the word "responsibility." They don't understand the term "the boss." Whether they like it or whether they don't like it, they are the bosses. They are in charge and everything that happens in this government is ultimately the responsibility of this government.

When you can't get legislation through, don't blame the opposition; blame your House leader. When you have problems in certain jurisdictions with respect to the Minister of Correctional Services, don't blame other people. You're the boss. You're ultimately responsible.

The point I would like to make is that when it comes to the operation of the private sector this government is prepared, under the Minister of the Environment, to throw CEOs in jail because one of their employees happens to throw a pail of sludge in Lake Ontario. But—and it's a big but—they're not prepared to accept responsibility when these actions occur at Bell Cairn. There's no responsibility level, but CEOs go to jail if an employee dumps some sludge in Lake Ontario. Why? Because ultimately the CEO is responsible.

You are the bosses. You must be responsible. When you can't get legislation through, when you put legislation on the books with 142 amendments, when there are long debates on legislation, ultimately you are responsible because you drafted the original legislation poorly and it's going to go for long debate. Mr Kormos would agree, Mr Laughren would agree and those people who sat here in opposition would agree. They went to great lengths to explain the democratic process to previous governments and how closure basically usurped the rights of opposition members.

One more Mr Rae quote. This was April 17, 1990, again before this Premier crossed the floor and changed his spots. He said to this House, "I want to ask the Premier why he would think his party, as a majority party, has the right to suspend the standing orders of this House and to simply do his will." Listen up. Here you go; this is important: "Does he not appreciate the terrible precedent this kind of motion sets for this House when it comes to governing the relationship between a majority and a minority? Does he not understand how dangerous that kind of precedent is?"

Mr Bradley: Who said that?

Mr Stockwell: Mr Bob Rae, Premier of Ontario, when he was Leader of the Opposition.

Some would say he's talking so much so that he's talking out of both sides of his mouth, that he's sucking and blowing—all the extras—but the bottom line is this: This government relishes the role of opposition, stands for the role of opposition, supports those in minorities when it's in opposition. When they're in government they don't give a tinker's dam what opposition says, what opposition elected officials have to say and what opposition in the general public has to say.

We have now spent some 15 minutes in third reading debating this bill. I challenge a single member, including the member for Durham East, to go out in a public hearing on third reading and take 15 minutes and explain this bill in its in-depth form to any group at all. You can't do it. It's impossible in 15 minutes. That's what you've allocated for the Conservative Party in this province to deal with this particular bill.

Obviously, we're going to get a closure motion. I will say, Mr Speaker, I'm very disappointed in the ruling of the Speaker's chair. I think this government's run roughshod over your esteemed office. They've run roughshod over a ruling that was made. They've covered this in some clandestine operation to bring forward a closure motion when my member from Ottawa was in mid sentence of speaking. I suppose in the end, when it comes to the public, probably not a whole bunch of people are going to have too much to say about this closure motion because it's just another in a succession.

Mr Speaker, you know something? We on this side of the House are going to remember. All the people who sit in this House today are going to remember and when, if that day comes, you get shunted back to this side, those lucky enough to be over here will be eunuchs. You will not have an opportunity to debate, you will not have an opportunity to oppose, you will not have an opportunity to speak what you have on your mind in two or three minutes, or whatever you choose to do, because this party, this government, has stepped over the line on a number of occasions. But I don't think in living a memory a government has introduced two closure motions in succession after holding a gun against the head of opposition parties to agree to rule changes that nobody likes.

1815

The House divided on Mr Cooke's motion, which was agreed to on the following vote:

Ayes—59

Abel, Akande, Allen, Bisson, Boyd, Buchanan, Charlton, Christopherson, Churley, Cooke, Cooper, Coppen, Dadamo, Ferguson, Frankford, Gigantes, Grier, Haeck, Hampton, Hansen, Harrington, Hayes, Hope, Huget, Johnson, Klopp, Lankin, Laughren, Lessard, Mackenzie, MacKinnon, Malkowski, Mammoliti, Martel, Martin, Mathysen, Mills, Morrow, North, O'Connor, Perruzza, Philip (Etobicoke-Rexdale), Pilkey, Pouliot, Silipo, Sutherland, Swarbrick, Ward (Brantford), Ward (Don Mills), Wark-Martyn, Waters, Wessinger, White, Wildman, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Winninger, Wiseman, Wood.

Nays—33

Beer, Bradley, Brown, Caplan, Carr, Cleary, Conway, Cunningham, Eddy, Elston, Eves, Fawcett, Grandmaitre, Harnick, Jackson, Mancini, McClelland, McLean, Miclash, Morin, Offer, O'Neill (Ottawa-Rideau), Phillips (Scarborough-Agincourt), Poole, Ramsay, Runciman, Ruprecht, Sola, Sterling, Stockwell, Sullivan, Turnbull, Villeneuve.

The Speaker: Pursuant to standing order 33, the motion that this House do now adjourn is deemed to have been made.

MINISTRY TRAINING SCHOOL

The Speaker (Hon David Warner): The member for Bruce filed dissatisfaction yesterday with the response to a question given by the Minister of Correctional Services. The member for Bruce has up to five minutes to debate the matter. The minister will have up to five minutes for a response.

Mr Murray J. Elston (Bruce): This is a difficult day for us to try to examine what is happening with the so-called Pilkey scandal. So far we have been prevented from moving forward to get any real penetration into the exact details of the issues.

Mr Speaker, might I ask for order since everybody's leaving?

The Speaker: Five minutes isn't a great deal of time, I realize, and perhaps members who are leaving the chamber could do so quietly and allow the member for Bruce to continue.

Mr Elston: Thank you very much, Mr Speaker. I know there's not a great deal of interest in this in a lot of quarters, but there is a lot of interest when a question is posed, bearing in mind that the standing orders of this House provide us with very few opportunities to examine the government record.

One of the times for us to examine that record is during question period. We can put the questions, Mr Speaker, but as you have rightly said time and time again, there is no way you can force a minister to answer. The only thing we have left to do as members of this House is to force a so-called late show under the standing order which you have identified. I find totally unsatisfactory to us on this side not only that we're being dealt with in such a manner as to prevent us from debating legislation, but also that the answers are concocted now in question period by this minister in the Pilkey scandal affair in such a way as to avoid the point of the question to begin with. Since we can neither now debate legislation nor get answers to our questions, we are left with very little opportunity to provide the people in the television viewing areas with any real information about what's happening here.

The minister has sidestepped the whole issue, which was, when I asked the question yesterday, "What do you usually do in your ministry to keep track of the events of that ministry?" "What is happening in your ministry?" basically was the question. He went on to say, "Well, there are a whole lot of things happening now to deal with the issue of sexual assault." And well there should be, because this minister, after the terrible events of June 1, has now, all of a sudden, come into action. He has become aware of a problem that has stretched over several months of his administration to the particular problems associated with Bell Cairn.

He was just asked by me to identify what it was he did to keep track of his ministry and the Bell Cairn establishment, as is his responsibility, and he refused to answer the question. He said he didn't understand it. I think probably

it's quite clear he doesn't understand what a minister does to assist in administering the activities of his department.

I then went on to identify in a supplementary question whether or not the judge he appointed—and in my view, unfortunately he should not have appointed a judge to investigate his own ministry. It seems to me that is a travesty on its own, but we will leave that for another question, perhaps another day. I asked him whether the judge would have the opportunity of calling witnesses, whether they would be sworn and whether there would be a public viewing of the inquiry that was going on. Of course he sidestepped that issue as well.

Clearly both answers to my questions were not only not satisfactory but in fact were an evasive action taken by this minister. I think that, more than anything else, speaks volumes about his inability to carry out his responsibilities as a minister. We are asked here in this House to believe that a person who is appointed to his post as Minister of Correctional Services should be allowed to stand in the House and deny that he has anything to do with the administration of his department.

We have asked him if he goes to management meetings; he won't answer that question. We have asked if his political staff go to management meetings; he won't answer that question. I asked him if he received briefings on the issue of sexual assault in the ministry, because we have been informed by the Minister of Health—herself a former corrections officer—that it has been ongoing for years, in her view. If she knew, and if everybody who is associated with the ministry knew, and if everybody knew about the Bell Cairn problems, what in the world was the minister of corrections doing with his time? He was asked today for a log of the meetings he has held with his ministry officials, and he has refused to provide any of that information.

While there is only five minutes for us to go through all the inadequacies, I think there are volumes spoken about this minister's inability to serve in his portfolio.

The Speaker: The Minister of Correctional Services has up to five minutes to respond.

Hon Allan Pilkey (Solicitor General and Minister of Correctional Services): The member opposite raises in his questions that it is only now that the minister has come into action. Well, I think common sense and logic would support at least that one small modicum, that one small element the member opposite raises, because it has only been now that I have been made aware of the allegation and of the circumstance.

We need to ask the question, "Once seized with that information and once given that knowledge, were you in fact responsible and direct in the actions that you took as a result?" Of course the answer to that question, as admitted by both opposition parties in this House, is a resounding yes. It has been taken in a variety of circumstances and a variety of ways, including at least an instigation of a police investigation. It's been taken in the sense of closing the offensive centre and the actions that have gone on there, and it will not be allowed to be reopened, and of course in the appointment of a member of the judiciary to do an independent investigation and review.

Without interfering with the criminal investigation, those allegations of sexual harassment and assault occurring at the centre will all be reviewed. People will be talked to, people will be interviewed. I have every confidence that people who will be asked to give comment, information and so on to Her Honour will in fact come forward and do so.

If we look at the members opposite, we've had 42 years of Tories' rule and the Liberals' completely unproductive five years in government. Not one of their ministries ever acted in this open, responsive and responsible fashion, regardless of what they knew or what they didn't know. I want to tell you that it is our view that an identifiable, specific, systemic situation has been brought to my attention and I have acted very responsibly in the decisions

to ensure that the alleged victims are protected and their privacy is protected—

Interjections.

The Speaker: Order.

Hon Mr Pilkey: —that all other allegations are being looked into in an appropriate way, that everyone in the ministry, and in fact the province, is forcefully reminded that sexual harassment, abuse and assault will not be tolerated by this government and that all allegations will be vigorously pursued, both criminally and administratively. That is what I have done and that is what I will continue to do to solve this situation.

The Speaker: There being no further matter to debate, this House stands adjourned until 1:30 of the clock tomorrow afternoon.

The House adjourned at 1827.

**LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor/Lieutenant-gouverneur: Lt Col The Hon/L'hon Henry N. R. Jackman CM, KStJ, BA, LLB, LLD

Speaker/Président: Hon/L'hon David Warner

Clerk/Greffier: Claude L. DesRosiers

Clerk Assistant and Clerk of Committees/Greffier adjoint et Greffier des comités: Smirle Forsyth

Clerk Assistant and Clerk of Journals/Greffier adjoint et Greffier des journaux: Alex D. McFedries

Sergeant at Arms/Sergent d'armes: Thomas Stelling

| Constituency | Name of member | Party | Other responsibilities |
|-----------------------|---------------------------|-------|--|
| Algoma | Wildman, Hon/L'hon Bud | ND | Minister of Natural Resources, minister responsible for native affairs/ministre des Richesses naturelles, ministre délégué aux Affaires autochtones |
| Algoma-Manitoulin | Brown, Michael A. | L | Chair, standing committee on general government/ Président du Comité permanent des affaires gouvernementales |
| Beaches-Woodbine | Lankin, Hon/L'hon Frances | ND | Minister of Health, minister responsible for substance abuse strategy/ministre de la Santé, ministre responsable de la Stratégie de prévention de la toxicomanie |
| Brampton North/-Nord | McClelland, Carman | L | Vice-Chair, standing committee on general government/ Vice-Président du Comité permanent des affaires gouvernementales |
| Brampton South/-Sud | Callahan, Robert V. | L | |
| Brant-Haldimand | Eddy, Ron | L | |
| Brantford | Ward, Brad | ND | parliamentary assistant to Minister of Industry, Trade and Technology, responsible for trade and technology/ adjoint parlementaire du ministre de l'Industrie, du Commerce et de la Technologie et délégué au Commerce et à la Technologie |
| Bruce | Elston, Murray J. | L | opposition House leader/ chef parlementaire de l'opposition |
| Burlington South/-Sud | Jackson, Cameron | PC | Chair, standing committee on estimates/ Président du Comité permanent des budgets des dépenses |
| Cambridge | Farnan, Mike | ND | Vice-Chair, standing committee on the Legislative Assembly/ Vice-Président du Comité permanent de l'Assemblée législative |
| Carleton | Sterling, Norman W. | PC | |
| Carleton East/-Est | Morin, Gilles E. | L | Deputy Speaker and Chair of the Committee of the Whole House/ Vice-Président et Président du Comité plénier de l'Assemblée législative |
| Chatham-Kent | Hope, Randy R. | ND | parliamentary assistant to Minister of Community and Social Services/adjoint parlementaire du ministre des Services sociaux et communautaires |
| Cochrane North/-Nord | Wood, Len | ND | parliamentary assistant to Minister of Natural Resources/ adjoint parlementaire du ministre des Richesses naturelles |
| Cochrane South/-Sud | Bisson, Gilles | ND | parliamentary assistant to Minister of Northern Development and Mines, parliamentary assistant to minister responsible for francophone affairs/adjoint parlementaire de la ministre du Développement du Nord et des Mines, adjoint parlementaire du ministre délégué aux Affaires francophones |
| Cornwall | Cleary, John C. | L | |
| Don Mills | Ward, Margery | ND | parliamentary assistant to Minister of Government Services/ adjointe parlementaire du ministre des Services gouvernementaux |
| Dovercourt | Silipo, Hon/L'hon Tony | ND | Chairman of Management Board of Cabinet, Minister of Education/président du Conseil de gestion du gouvernement, ministre de l'Éducation |
| Downsview | Perruzza, Anthony | ND | parliamentary assistant to Minister for Skills Development/ adjoint parlementaire du ministre de la Formation professionnelle |
| Dufferin-Peel | Tilson, David | PC | |
| Durham Centre/-Centre | White, Drummond | ND | Chair, standing committee on regulations and private bills/ Président du Comité permanent des règlements et des projets de loi privés |
| Durham East/-Est | Mills, Gord | ND | parliamentary assistant to Minister of Municipal Affairs/ adjoint parlementaire du ministre des Affaires municipales |
| Durham West/-Ouest | Wiseman, Jim | ND | parliamentary assistant to Minister of Correctional Services/ adjoint parlementaire du ministre des Services correctionnels |
| Durham-York | O'Connor, Lawrence | ND | parliamentary assistant to minister responsible for the greater Toronto area/adjoint parlementaire de la ministre responsable du Bureau de la région du grand Toronto |
| Eglinton | Poole, Dianne | L | |
| Elgin | North, Hon/L'hon Peter | ND | Minister of Tourism and Recreation/ ministre du Tourisme et des Loisirs |
| Essex-Kent | Hayes, Pat | ND | parliamentary assistant to Minister of Agriculture and Food (agriculture)/adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation (agriculture) |

| Constituency | Name of member | Party | Other responsibilities |
|---|---------------------------|-------|--|
| Essex South/-Sud | Mancini, Remo | L | Chair, standing committee on public accounts/ Président du Comité permanent des comptes publics |
| Etobicoke-Lakeshore | Grier, Hon/L'hon Ruth A. | ND | Minister of the Environment, minister responsible for the greater Toronto area/ministre de l'Environnement, ministre responsable du Bureau de la région du grand Toronto |
| Etobicoke-Humber | Henderson, D. James | L | |
| Etobicoke-Rexdale | Philip, Hon/L'hon Ed | ND | Minister of Industry, Trade and Technology/ ministre de l'Industrie, du Commerce et de la Technologie |
| Etobicoke West/-Ouest | Stockwell, Chris | PC | |
| Fort William | McLeod, Lyn | L | Leader of the Opposition/chef de l'opposition |
| Fort York | Marchese, Rosario | ND | parliamentary assistant to the Premier, parliamentary assistant to Minister of Intergovernmental Affairs/adjoint parlementaire du premier ministre, adjoint parlementaire du ministre des Affaires intergouvernementales |
| Frontenac-Addington | Wilson, Hon/L'hon Fred | ND | Minister of Government Services/ ministre des Services gouvernementaux |
| Grey | Murdoch, Bill | PC | |
| Guelph | Fletcher, Derek | ND | parliamentary assistant to Minister of Consumer and Commercial Relations/adjoint parlementaire de la ministre de la Consommation et du Commerce |
| Halton Centre/-Centre | Sullivan, Barbara | L | |
| Halton North/-Nord | Duignan, Noel | ND | Chair, standing committee on the Legislative Assembly/ Président du Comité permanent de l'Assemblée législative |
| Hamilton Centre/-Centre | Christopherson, David | ND | parliamentary assistant to Treasurer of Ontario and Minister of Economics/adjoint parlementaire du Trésorier de l'Ontario et du ministre de l'Économie |
| Hamilton East/-Est | Mackenzie, Hon/L'hon Bob | ND | Minister of Labour/ministre du Travail |
| Hamilton Mountain | Charlton, Hon/L'hon Brian | ND | Minister of Financial Institutions, acting Minister of Energy/ ministre des Institutions financières, ministre de l'Énergie par intérim |
| Hamilton West/-Ouest | Allen, Hon/L'hon Richard | ND | Minister of Colleges and Universities, Minister of Skills Development/ministre des Collèges et Universités, ministre de la Formation professionnelle |
| Hastings-Peterborough | Buchanan, Hon/L'hon Elmer | ND | Minister of Agriculture and Food/ ministre de l'Agriculture et de l'Alimentation |
| High Park-Swansea | Ziemba, Hon/L'hon Elaine | ND | Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations/ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales |
| Huron | Klopp, Paul | ND | parliamentary assistant to Minister of Agriculture and Food (food)/ adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation (alimentation) |
| Kenora | Miclash, Frank | L | opposition deputy whip/whip adjoint de l'opposition |
| Kingston and The Islands/ Kingston et Les Îles | Wilson, Gary | ND | parliamentary assistant to Minister of Culture and Communications/ adjoint parlementaire de la ministre de la Culture et des Communications |
| Kitchener | Ferguson, Will | ND | |
| Kitchener-Wilmot | Cooper, Mike | ND | deputy government whip; Chair, standing committee on administration of justice/whip adjoint du gouvernement, Président du Comité permanent de l'administration de la justice |
| Lake Nipigon/Lac-Nipigon | Pouliot, Hon/L'hon Gilles | ND | Minister of Transportation, minister responsible for francophone affairs/ministre des Transports, ministre délégué aux Affaires francophones |
| Lambton | MacKinnon, Ellen | ND | Vice-Chair, standing committee on regulations and private bills/ Vice-Présidente du Comité permanent des règlements et des projets de loi privés |
| Lanark-Renfrew | Jordan, W. Leo | PC | |
| Lawrence | Cordiano, Joseph | L | Vice-Chair, standing committee on public accounts/ Vice-Président du Comité permanent des comptes publics |
| Leeds-Grenville | Runciman, Robert W. | PC | Chair, standing committee on government agencies/ Président du Comité permanent des organismes gouvernementaux |
| Lincoln | Hansen, Ron | ND | Chair, standing committee on finance and economic affairs/ Président du Comité permanent des finances et des affaires économiques |
| London Centre/-Centre | Boyd, Hon/L'hon Marion | ND | Minister of Community and Social Services, minister responsible for women's issues/ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine |
| London North/-Nord | Cunningham, Dianne | PC | Progressive Conservative chief whip/ whip en chef du Parti progressiste-conservateur |

| Constituency | Name of member | Party | Other responsibilities |
|---|---------------------------------------|---------|--|
| London South/-Sud | Winninger, David | ND | parliamentary assistant to Attorney General, parliamentary assistant to minister responsible for native affairs/adjoint parlementaire du Procureur général, adjoint parlementaire du ministre délégué aux Affaires autochtones |
| Markham | Cousens, W. Donald | PC | |
| Middlesex | Mathysen, Irene | ND | parliamentary assistant to Minister of the Environment/ adjointe parlementaire de la ministre de l'Environnement |
| Mississauga East/-Est | Sola, John | L | |
| Mississauga North/-Nord | Offer, Steven | L | |
| Mississauga South/-Sud | Marland, Margaret | PC | Vice-Chair, standing committee on estimates/ Vice-Présidente du Comité permanent des budgets des dépenses |
| Mississauga West/-Ouest | Mahoney, Steven W. | L | chief opposition whip/whip en chef de l'opposition |
| Muskoka-Georgian Bay | Waters, Daniel | ND | parliamentary assistant to Minister of Tourism and Recreation/ adjoint parlementaire du ministre du Tourisme et des Loisirs |
| Nepean | Daigeler, Hans | L | Vice-Chair, standing committee on social development/ Vice-Président du Comité permanent des affaires sociales |
| Niagara Falls | Harrington, Margaret H. | ND | parliamentary assistant to Minister of Housing/ adjointe parlementaire de la ministre du Logement |
| Niagara South/-Sud | Coppen, Hon/L'hon Shirley | ND | Minister without Portfolio, chief government whip/ ministre sans portefeuille, whip en chef du gouvernement |
| Nickel Belt | Laughren, Hon/L'hon Floyd | ND | Deputy Premier, Treasurer of Ontario and Minister of Economics/ vice-premier ministre, Trésorier de l'Ontario et ministre de l'Économie |
| Nipissing | Harris, Michael | PC | leader of the Progressive Conservative Party/ chef du Parti progressiste-conservateur |
| Norfolk | Jamison, Norm | ND | parliamentary assistant to Minister of Industry, Trade and Technology, responsible for small business/adjoint parlementaire du ministre de l'Industrie, du Commerce et de la Technologie, délégué aux Affaires des petites entreprises |
| Northumberland | Fawcett, Joan M. | L | |
| Oakville South/-Sud | Carr, Gary | PC | |
| Oakwood | Rizzo, Tony | ND | |
| Oriole | Caplan, Elinor | L | |
| Oshawa | Pilkey, Hon/L'hon Allan | ND | Solicitor General, Minister of Correctional Services/ Solliciteur général, ministre des Services correctionnels |
| Ottawa Centre/-Centre | Gigantes, Hon/L'hon Evelyn | ND | Minister of Housing/ministre du Logement |
| Ottawa East/-Est | Grandmaitre, Bernard C. | L | |
| Ottawa-Rideau | O'Neill, Yvonne | L | |
| Ottawa South/-Sud | McGuinty, Dalton J.P. | L | |
| Ottawa West/-Ouest | Chiarelli, Robert | L | |
| Oxford | Sutherland, Kimble | ND | parliamentary assistant to Chairman of Management Board of Cabinet; Vice-Chair, standing committee on finance and economic affairs/ adjoint parlementaire du président du Conseil de gestion du gouvernement, Vice-Président du Comité permanent des finances et des affaires économiques |
| Parkdale | Ruprecht, Tony | L | |
| Parry Sound | Eves, Ernie | PC | Progressive Conservative House leader/ chef parlementaire du Parti progressiste-conservateur |
| Perth | Haslam, Hon/L'hon Karen | ND | Minister of Culture and Communications/ ministre de la Culture et des Communications |
| Peterborough | Carter, Jenny | ND | parliamentary assistant to Minister of Citizenship, responsible for human rights, disability issues, seniors' issues and race relations/ adjointe parlementaire de la ministre des Affaires civiques, déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales |
| Port Arthur | Wark-Martyn, Hon/L'hon Shelley | ND | Minister of Revenue/ministre du Revenu |
| Prescott and Russell/ Prescott et Russell | Poirier, Jean | L | |
| Prince Edward-Lennox-South Hastings/ Prince-Edward- Lennox-Hastings-Sud | Johnson, Paul R. | ND | parliamentary assistant to Minister of Revenue/ adjoint parlementaire de la ministre du Revenu |
| Quinte | O'Neil, Hugh P. | L | |
| Rainy River | Hampton, Hon/L'hon Howard | ND | Attorney General/Procureur général |
| Renfrew North/-Nord | Conway, Sean G. | L | Deputy Leader of the Opposition/chef adjoint de l'opposition |
| Riverdale | Churley, Hon/L'hon Marilyn | ND | Minister of Consumer and Commercial Relations/ ministre de la Consommation et du Commerce |
| S-D-G & East Grenville/ S.-D.-G. & Grenville-Est | Vileneuve, Noble | PC | Second Deputy Chair of the Committee of the Whole House/ Deuxième Vice-Président du Comité plénier de l'Assemblée législative |
| St Andrew-St Patrick St Catharines | Akande, Zanana Bradley, James J. | ND L | parliamentary assistant to the Premier |

| Constituency | Name of member | Party | Other responsibilities |
|--|----------------------------------|---------|---|
| St. Catharines-Brock | Haeck, Christel | ND | government whip; Vice-Chair, standing committee on the Ombudsman/ whip du gouvernement, Vice-Présidente du Comité permanent de l'ombudsman |
| St. George-St. David Sarnia | Scott, Ian G. Hugert, Bob | L ND | parliamentary assistant to acting Minister of Energy; Vice-Chair, standing committee on resources development/ adjoint parlementaire du ministre de l'Énergie par intérim, Vice-Président du Comité permanent du développement des ressources |
| Sault Ste Marie/ Sault-Sainte-Marie | Martin, Tony | ND | parliamentary assistant to Minister of Education/ adjoint parlementaire du ministre de l'Éducation |
| Scarborough-Agincourt | Phillips, Gerry | L | |
| Scarborough Centre/-Centre | Owens, Stephen | ND | parliamentary assistant to Minister of Financial Institutions/ adjoint parlementaire du ministre des Institutions financières |
| Scarborough East/-Est | Frankford, Robert | ND | |
| Scarborough-Ellesmere | Warner, Hon/L'hon David | ND | Speaker/Président |
| Scarborough North/-Nord | Curling, Alvin | L | opposition deputy whip/whip adjoint de l'opposition |
| Scarborough West/-Ouest | Swarbrick, Anne | ND | |
| Simcoe Centre/-Centre | Wessenger, Paul | ND | parliamentary assistant to Minister of Health/ adjoint parlementaire de la ministre de la Santé |
| Simcoe East/-Est | McLean, Allan K. | PC | Vice-Chair, standing committee on government agencies/ Vice-Président du Comité permanent des organismes gouvernementaux |
| Simcoe West/-Ouest | Wilson, Jim | PC | |
| Sudbury | Murdock, Sharon | ND | parliamentary assistant to Minister of Labour/ adjointe parlementaire du ministre du Travail |
| Sudbury East/-Est | Martel, Hon/L'hon Shelley | ND | Minister of Northern Development and Mines/ ministre du Développement du Nord et des Mines |
| Timiskaming | Ramsay, David | L | |
| Victoria-Haliburton | Drainville, Dennis | ND | First Deputy Chair of the Committee of the Whole House/ Premier Vice-Président du Comité plénier de l'Assemblée législative |
| Waterloo North/-Nord | Witmer, Elizabeth | PC | |
| Welland-Thorold | Kormos, Peter | ND | Chair, standing committee on resources development/ Président du Comité permanent du développement des ressources |
| Wellington | Arnott, Ted | PC | |
| Wentworth East/-Est | Morrow, Mark | ND | Chair, standing committee on the Ombudsman; Vice-Chair, standing committee on administration of justice/ Président du Comité permanent de l'ombudsman, Vice-Président du Comité permanent de l'administration de la justice |
| Wentworth North/-Nord | Abel, Donald | ND | government whip/whip du gouvernement |
| Willowdale | Harnick, Charles | PC | |
| Wilson Heights | Kwinter, Monte | L | |
| Windsor-Riverside | Cooke, Hon/L'hon David | ND | Minister of Municipal Affairs, government House leader/ ministre des Affaires municipales, chef parlementaire du gouvernement |
| Windsor-Sandwich | Dadamo, George | ND | parliamentary assistant to Minister of Transportation/ adjoint parlementaire du ministre des Transports |
| Windsor-Walkerville | Lessard, Wayne | ND | parliamentary assistant to Minister of Colleges and Universities/ adjoint parlementaire du ministre des Collèges et Universités |
| York Centre/-Centre | Sorbara, Gregory S. | L | |
| York East/-Est | Malkowski, Gary | ND | parliamentary assistant to Minister of Citizenship, responsible for human rights, disability issues, seniors' issues and race relations/ adjoint parlementaire de la ministre des Affaires civiles, déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales |
| York Mills | Turnbull, David | PC | |
| York North/-Nord | Beer, Charles | L | Chair, standing committee on social development/ Président du Comité permanent des affaires sociales |
| York South/-Sud | Rae, Hon/L'hon Bob | ND | Premier, President of the Executive Council, Minister of Intergovernmental Affairs/premier ministre, président du Conseil des ministres, ministre des Affaires gouvernementales |
| Yorkview | Mammoliti, George | ND | parliamentary assistant to minister responsible for substance abuse strategy/adjoint parlementaire de la ministre responsable de la Stratégie de prévention de la toxicomanie |

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Vice-Chair/Vice-Président: Hans Daigeler

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Clerk/Greffière: Lynn Mellor

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Legislative Assembly of Ontario

Second Session, 35th Parliament

Assemblée législative de l'Ontario

Deuxième session, 35^e législature

Official Report of Debates (Hansard)

Wednesday 22 July 1992

Journal des débats (Hansard)

Mercredi 22 juillet 1992



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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Effective with the opening of the Second Session of the 35th Parliament, Hansard issues and pages are numbered according to session, rather than calendar year as before. Committee reports likewise are numbered from the first sitting of each committee in this parliamentary session.

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Renseignements sur l'Index

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 22 July 1992

The House met at 1332.

Prayers.

MEMBERS' STATEMENTS

LONG-TERM CARE

Mr Frank Miclash (Kenora): I rise in my place again to bring a most desperate situation in my riding to the attention of the Minister of Health. Families in the community of Dryden continue to be torn apart as their seniors must leave the community because Dryden does not have a facility to house its seniors.

Minister, I've brought this to your attention a number of times. As well, a great number of people from Dryden are extremely disappointed that you have not answered their letters. They are looking for direction on this issue.

Mrs Inge Desautels, chairman of the Dryden Extended Care Organization, wrote to you on June 29 to request a meeting with you and to express her concerns. Quoting from this letter, she says, "We will explain and show you first hand what aging has in store for us, what it is like to be separated at the age of 80, not by death, but with a 120-kilometre barrier separating a senior couple." She goes on in her letter to ask you to examine again this very grave problem facing the seniors of Dryden.

CBC Newsworld ran a feature news story on the protest march organized by the Dryden Extended Care Organization. The whole country now knows about the ministry's inability to act on the needs of the Dryden seniors. Minister, representing the people of Dryden, I again ask you to meet with the community leaders and give this situation your personal attention so that the needs of the Dryden seniors can be met.

CONSTITUTIONAL REFORM

Mr Norman W. Sterling (Carleton): While our assembly discusses a number of items of public importance, some issues a little less important than others, it appears what should have been the most important issue at this time, namely, our Canadian Constitution, has not been afforded the opportunity for debate in this Legislature. For that reason, I will be dedicating my private member's hour tomorrow to a resolution concerning our Constitution, a resolution stating that the Senate of Canada be abolished.

I want to make it very clear that my resolution will not negate the premiers' and the federal government's tentative package; however, I feel that Ontario should have been decisive on this issue at the outset and during the recent negotiations.

I make no apologies for wanting a strong federal government, and I fear that the present proposal for a triple E Senate appears to create a negative chamber which will further impede the ability of the federal government to effectively govern.

I want to provide an opportunity for members of this assembly to express their opinion about this important part

of the constitutional package. We did not focus on Senate reform during the initial stage of discussion. Reforming the Senate seemed like a minor part of our attempt to include Quebec. When our committee held its discussions, Senate reform was not the focus, nor was it the focus of most Ontarians. Now the Senate has become one of the major issues of constitutional change, and I want to say that I believe the Senate of Canada should be abolished rather than reinvented in another form.

I look forward to hearing the views of at least a few of the members on this important issue tomorrow morning.

VICTORIA HALL

Mrs Ellen MacKinnon (Lambton): In my riding of Lambton county and the town of Petrolia from 1887 to 1889 a building was erected by the residents who had a vision. Their vision was to have a suitable venue for the benefit of the cultural needs of the community. Consequently, a structure developed and was known as Victoria Playhouse Petrolia or VPP, now known as Victoria Hall. Over the years live theatre thrived in the area. For a short period during the 1950s and 1960s it remained closed with the advent of movies and TV. In 1967, centennial year, volunteers restored the hall and live theatre returned.

On January 23, 1989, a devastating fire destroyed this famous landmark. Residents, in the usual tradition, decided to begin rebuilding the legacy and again volunteerism played a most important role. As a result, from the ashes has risen a new building designed in the manner of the original Victoria Hall. This gives everyone reason for celebration. To do this the week of September 20 through 27 has been set aside for many special events to celebrate our heritage and will include many noted Canadian musicians and painters along with children's programs.

I'm also pleased to announce that my colleague the Honourable Elmer Buchanan will be in attendance to open Victoria Hall and help celebrate the agricultural heritage of Lambton county. On the evening of September 26, 1992, a gala opening ceremony will take place. I invite everyone in this House to attend and commemorate the rebuilding of a legacy.

CHEQUE CASHING BILL

Mr Gilles E. Morin (Carleton East): If Bill 154 becomes law, what will happen to the recipients of government cheques who now use cheque cashing outlets? Will cheque cashing go underground, as some people fear? My answer is no. This government has every means at its disposal to avoid such an occurrence.

We can learn from Quebec's experience. That province introduced similar legislation in 1978 without first ensuring that low-income persons could cash their cheques. Problems arose which have since been rectified. This won't be the case in Ontario. We can foresee the needs of low-income citizens and be prepared to respond immediately.

Financial institutions have expressed their readiness to work with the appropriate ministries. The president of the Canadian Bankers Association says in a letter addressed to me, "I am confident that we can negotiate an arrangement whereby all Ontario citizens will be treated equally when it comes to accessing banking services."

Low-income Ontarians will not be left out in the cold by Bill 154. The Minister of Community and Social Services and the Treasurer speak as though they were powerless; on the contrary, the means to resolve the cheque cashing problem are at their disposal.

1340

WASTE DISPOSAL

Mr Allan K. McLean (Simcoe East): My statement is for the Minister of the Environment. It concerns the storage and disposal of PCBs. It is my understanding there are approximately 20 sites in the city of Orillia that are used for the storage of PCBs that at one time were used by the electrical industry as a cooling and insulating fluid for industrial transformers and capacitors. Minister, you must help businesses and industries to dispose of the PCBs you are forcing them to store on their properties. I sent you a letter on this some time ago. We need an answer.

RAY WILES

Mr Allan K. McLean (Simcoe East): On an unrelated matter, I would like to pay special tribute to a fine sportsman, a horseman and a man who was a credit to the sport of harness racing, Ray Wiles.

Ray Wiles was fatally injured in the course of a race at Barrie Raceway one week ago tonight. This evening there will be a special tribute to Ray from his fellow drivers, trainers and owners, as well as track officials. That's taking place at Barrie Raceway prior to the first race.

Ray Wiles was a man who led a life to which many politicians should aspire: He did his job quietly; he helped those who asked for assistance or just needed a hand; he always did his share and then some.

Ray Wiles gave his life to the sport he loved. He will be missed on the A tracks, as well as on the smaller ones, and at the fair race circuits throughout Ontario.

I would like to express my deepest sympathy to the Wiles family on behalf of our community and all racing enthusiasts throughout Ontario.

ANNE VOWLES

Mrs Irene Mathysen (Middlesex): I would ask members of this House to join me in congratulating Anne Vowles, a resident of Chateau Gardens, Parkhill, on the occasion of her 90th birthday today. Last Sunday I had the honour to join Anne, her family and friends to celebrate her birthday, her contribution to the political life of Ontario and her active involvement in the communities in which she has lived.

Mrs Vowles has been a lifelong member of first the CCF and then the NDP. She worked with Tommy Douglas and Donald MacDonald, ran as a candidate for the CCF in the provincial election of 1947 and the next provincial election in the riding of North Middlesex on budgets

sometimes as low as \$75 with homemade signs, and still, despite the astonishment from some at the door that a woman would seek political office and often in the midst of ill-informed red scare tactics employed to discredit CCF candidates, managed to pull 900 votes.

Anne Vowles's deep community interest was reflected in her many years as a leader and role model for young women in Canadian Girls In Training, and later when she retired to Port Franks and joined both the choir of Knox Presbyterian Church and the local seniors club.

There were many present last Sunday to thank Anne Vowles for the efforts she undertook on behalf of the community and also for serving as an inspiration to other women who would seek public office. For this, I would like to add my thanks.

RED HILL CREEK EXPRESSWAY

Mr Gregory S. Sorbara (York Centre): I'm glad to see that the Minister of Transportation is in the chamber and at least one member from the Hamilton-Wentworth region.

Earlier today Lyn McLeod and I had an opportunity to visit the city of Hamilton and the region of Hamilton-Wentworth. She and I had an opportunity to examine and evaluate the serious traffic and transportation problems the people of Hamilton are faced with. We had an opportunity to survey the route of the proposed Red Hill Creek Expressway, a road which is so absolutely crucial to resolving the current problems of congestion, in addition, I'd say to the Minister of Transportation, to providing for the next phase of economic growth throughout the entire region.

We were able to see with our own eyes why 90% of the people of the area are so determined that the expressway will be built. We have come to understand more fully than ever why the level of anger and resentment against this government is so very high. We came to understand more than ever that the NDP decision to cancel the Red Hill Creek project had nothing whatever to do with morality or with the environment, but it had to do simply and tragically with protecting the political careers of the Bob Mackenzies and the Brian Charltons of this world who remain in the tight political grip of self-serving interest groups that are entirely out of touch.

I invite the minister to make the trip we did. Get in your limousine and go down and look at the site and talk with the people. You will be convinced that the expressway has to be built.

LANDFILL

Mr W. Donald Cousens (Markham): It's time for the Premier of Ontario to accept responsibility for the problems people are having in York, Durham and Peel with this government and the Interim Waste Authority. It's time for the Premier himself to take account of what's going on in the province. The Minister of the Environment is not listening. The Minister of the Environment is not responding to the concerns people are raising. The Minister of the Environment is not looking at other options. Instead, she has placed 57 proposed landfill sites for

consideration in the greater Toronto area. The Minister of the Environment is not being practical.

Last evening, when we had close to 1,000 people in Whitchurch-Stouffville discussing this, we asked the question whether or not the rail-haul option should be considered for an environmental assessment. They said, categorically, yes. It was almost unanimous that they wanted it to be considered as an option, rather than just the 57 sites we are now looking at.

I think it's high time the people of Ontario realize that Premier Robert Rae appointed Ruth Grier as Minister of the Environment. He is responsible for this government. If she's not going to respond, if she's not going to listen, if she is not going to be involved in the issue that is so large and great surrounding Toronto now, then the Premier himself has to accept the responsibility for this issue and the Premier has to get involved. He has to start listening, because right now the people feel left out of the process. The Premier is the person of whom I'm now saying, "That's the one we will go to, not Ruth Grier."

REFUGEES

Mr Peter Kormos (Welland-Thorold): Mr Speaker, a little while ago I talked to you in this House about the Munoz family. Indeed, you met Mr Munoz sitting right here. He was the person who had received his deportation order for August 7 and in the interim had filed a final appeal for humanitarian and compassionate grounds to be considered, with a view to letting him and his two youngest, Canadian-born children remain here in Ontario.

Ms S. Wright from the Department of Employment and Immigration in Mississauga telephoned me today to tell me—and of course they should have known better than to even have the slightest hope for some generosity or compassion from the federal government—that no, these people are going to be sent back to Argentina.

We are looking for assistance for, quite frankly, a lawyer to come to the aid of the Munoz family and especially the two Canadian-born citizens. I believe this province, by way of the Attorney General, has the responsibility to protect the interests of those two Canadian-born citizens. I believe the official guardian can effectively intervene and acquire status to appeal the final order of the federal minister of immigration on behalf of these two Canadian citizens, these two children. Who better deserves protection from this government than children who are being sent to a land they weren't born in, who are being denied their rights as Canadians and as Ontarians?

This government, this Ministry of the Attorney General, this Ministry of Citizenship, should intervene immediately to bring this injustice to an end.

STATEMENTS BY THE MINISTRY

SOCIAL ASSISTANCE

Hon Marion Boyd (Minister of Community and Social Services): I'm pleased to announce today the selection of nine projects across the province to serve as pilots for a new service philosophy which is designed to help social assistance recipients get back to work. This new philosophy is opportunity planning and is key to this

government's reform of social assistance. The nine pilot projects will test various ways of introducing opportunity planning into the social assistance system.

Opportunity planning was an important recommendation of both the Social Assistance Review Committee's report, *Transitions*, and the report of the Advisory Group on New Social Assistance Legislation, called *Back on Track*. Simply stated, opportunity planning is a service that helps people on social assistance make the transition to self-reliance.

Last year, as part of the government's commitment to social assistance reform, it was announced that \$5 million would be provided to establish at least six pilot projects in opportunity planning. Early this year a request for proposals was sent out.

The response to that request was overwhelming. We received almost 200 proposals for opportunity planning pilots from all over the province. With the help of an independent review committee made up of individuals with expertise in related programs and representing a wide cross-section of interests in the community, we selected the nine projects being announced today.

The pilots will be located in the Waterloo region, Ottawa-Carleton, Peel, Nipissing, Muskoka and Parry Sound, Kenora, Mississauga, Etobicoke, the Algoma district, and Burleigh Falls.

1350

These projects are as diverse in how they propose to deliver services as they are in geographical location. What they share is an emphasis on consumer involvement, partnerships with employers, agencies, and the systems that deliver social assistance in the community, and attention to serving the diversity of people on social assistance, including members of employment equity groups.

In addition to these nine projects, we will provide \$500,000 to first nations opportunity planning pilot projects. These projects will serve primarily native Ontarians who live in first nations communities. The ministry intends to work with first nations representatives in determining which projects will be funded.

It bears repeating: The concept of opportunity planning is key to this government's plans to reform Ontario's social assistance system. The renewal of this province's economy will be stronger when the social assistance system is thought of as a springboard to individual independence and not just as a safety net that all too often entangles social assistance recipients. These pilots will help us learn how opportunity planning can be used.

ONTARIO PROVINCIAL POLICE

Hon Allan Pilkey (Solicitor General): I wish to read a statement to the House today in my capacity as Solicitor General of Ontario.

I am pleased to announce that this government will deliver on its promise to increase public safety and security in our communities through enhanced support for police. Today the Ontario Provincial Police will be receiving approval of funding to hire an additional 241 uniformed officers above and beyond its current contingent.

I take the issue of public safety very seriously. I have been working closely with the Treasurer and with senior policing officials for several months to develop a strategy to address Ontario's policing needs.

An increase of 241 uniformed officers will have a very positive impact on new police initiatives in the areas of family violence, anti-racism and sexual assault, as well as on other community policing and prevention initiatives designed to enhance public safety and security.

The challenge of meeting emerging policing needs in Ontario is being met through the implementation of community policing. As all in this chamber are aware, my ministry is moving policing in this province towards community policing. I believe that community policing—police and community working cooperatively together—is critical in this multiracial and multicultural society.

It is important that the OPP be provided with adequate resources with which to not only enforce the law, but to promote justice through a partnership with the communities it serves to better plan, manage and deliver policing services.

This announcement represents a total commitment of approximately \$20 million in additional funding for the OPP, a rather clear demonstration of this government's support and this minister's support of the police in this province. Today's announcement builds on the decision made by the government last month to extend \$14.4 million to the OPP, a decision which has allowed the provincial police to lift its hiring freeze. In addition, at the end of the last fiscal year, this government gave the OPP \$10 million to help reduce its accumulated operating deficit. This brings to about \$45 million the total new funding made available to the OPP by this government during the past number of months.

Hiring of the additional uniformed officers will be phased in over three years to accommodate training requirements. Sixty additional uniformed staff will be added during the current fiscal year, 75 more will be hired next year and an additional 106 officers will be added in the following year. Officers will be assigned on a priority basis to detachments identified as needing additional resources. The remaining officers will enhance the already high level of service the OPP currently provides throughout our province.

These staffing additions will take place without any requirement for reallocation of existing officers and without the need to disband or discontinue such special services as the Reduce Impaired Driving Everywhere program.

I would like to acknowledge the support of the OPP leadership as we have worked towards this announcement, and to welcome to this chamber OPP Commissioner Tom O'Grady. We are also joined today by Bob Hunter and Grant Scharf from the Ontario Provincial Police Association.

I am especially pleased to be able to satisfy our concerns about the ability of our provincial police service to deliver the public safety initiatives that the people of Ontario expect and deserve. I believe that the safety and secu-

rity for everyone in Ontario will benefit from today's announcement.

RESPONSES

ONTARIO PROVINCIAL POLICE

Mr James J. Bradley (St Catharines): As all members of the House recognize, this is a routine announcement. The only story in this announcement is why you have allowed the services of the OPP to deteriorate so badly over the past 20 months.

You have put a freeze on any hiring when the crime rate in Ontario is increasing. You have put a freeze on hiring at a time when the population of this province is increasing and when the services of the OPP are required. Your Premier has had members of the OPP tied up investigating members of the opposition for some period of time, and we recognize now that perhaps they will be able to go back to their old duties.

What we see as well is that he is phasing it in over three years. Of course, this is what governments always do. You always have additional staff coming on-line for the OPP over a period of time. This is nothing new, and the only news in it is that you have waited so long.

It's quite clear that the only reason the gentlemen who are sitting in the gallery at the present time and the members of the OPP have this announcement is that the minister is in so much trouble for neglecting his duties in the Ministry of Correctional Services, and so he has to come up with some kind of so-called good news announcement, which of course is extremely routine, as we know. It shows what the minister might be able to do if he looked at the files in his office once in a while.

If we look at what MPPs from this province have been saying for the past period of time, they have described the deterioration of this service in eastern Ontario, northern Ontario, western Ontario and all over the province. The OPP had to call press conferences around the province and produce a video to put the pressure on you to do anything about a problem which you've done nothing about for so very long.

I bring to the attention of members of the House that even with this announcement, the historic and important OPP Pipes and Drums and OPP Golden Helmets have disappeared for ever.

Mr Frank Miclash (Kenora): I too would like to respond to the announcement of the Solicitor General. Mr Solicitor General, I must admit that a good number of times I've brought to your attention the lack of OPP services throughout the north. Whether it be Sioux Lookout, Vermilion Bay, Kenora or other communities in my riding, we know there's been a tremendous lack. But when you say today that you're introducing something that is going to take three years, they're words that are not going to match the actions of tomorrow. We need help in the north tomorrow; we don't need it three years down the road. Mr Minister, I look forward to finding out how these words will match the actions we will see in northwestern Ontario tomorrow.

1400

SOCIAL ASSISTANCE

Mrs Yvonne O'Neill (Ottawa-Rideau): I'm responding to the statement by the Minister of Community and Social Services. This is, again, another reannouncement. Fifteen months ago, on May 1, 1991, the then Minister of Community and Social Services said this item was to be fast-tracked. That was a reannouncement of November 1990. Is this fast-tracking or is this a turtle walk?

This announcement described a "new service philosophy" when opportunity planning is almost a household word in this province because it was first introduced in 1988 in the Transitions report. The fact that 200 proposals came forward certainly supports the understanding and way in which this item has been overlooked by this government, and nine responses to 200 proposals are considered worthy of an announcement in this House. This may be new to the NDP government, but it's certainly not new to the people of Ontario. This initiative has been requested over and over again since the very first day this government took office.

The announcement, again, is vague in specifics. It has no long-term commitment. Pilot projects may or may not disappear. It's based on people; it's based on groups. I don't see one mention of the word "individual," which we all know is key to opportunity planning.

In November 1990 this government promised \$54 million to this initiative, and then, in last year's budget, \$5 million was designated but not spent. Today we get \$5 million. Will it be spent? I sure hope so.

Mr Cameron Jackson (Burlington South): It's hard to believe that the 1.2 million Ontarians who are living with the support of general welfare assistance or family benefits in this province can take much comfort in this government's announcement today as their leading-edge commitment. The truth is that when the Treasurer announced the Jobs Ontario program with much fanfare, there was much hope attached to that.

Your first statement in the House, Minister, some four weeks ago, was to announce that \$100 million was going to be committed to building redundant and surplus day care centres. You know that's what you're spending the money on, and that's where your commitment has been, for your ideological experiment. The truth is that now your second announcement in this House on the Jobs Ontario initiative is to offer \$5 million over five years, less than \$1 million a year, to the poor of this province—1.2 million.

Hon Richard Allen (Minister of Colleges and Universities and Minister of Skills Development): It's \$1.1 million over three years.

Mr Jackson: The member for Hamilton West has his finger pointing at us. Not once in this initiative is there any reference to food bank supports. Only one of the nine projects deals with the disabled community in this province. This government should be ashamed of itself that when it puts its priorities on the table, the poor are coming last—dead last. That's not a distortion of the facts, and the member for Hamilton West knows it.

Hon Mr Allen: You know it.

Mr Jackson: I know it because I'm the chairman of Burlington Food Share and we're laying off staff because your government is withdrawing support. We have 2,000 people using food banks in our community, and you've got nine projects. The truth is that in this announcement there were 191 projects turned down. I simply reiterate that you've got \$100 million for your day care experiment, to put them out of business, and you've got \$5 million for the 1.2 million Ontarians who are forced, because of their circumstances, to be on social assistance in this province. Those are the facts, and if the member for Hamilton West doesn't like that, he's a member of cabinet and should speak up to the Premier of this province and the Treasurer, who are setting those kinds of priorities.

Unfortunately, there's far too much window dressing on this sensitive issue on the part of this government. The fact is that if it was a priority for the thousands of children who are living in poverty in this province it wouldn't have given them 0.5% for the children's aid society and other support groups. That is the legacy of this government, and five years for nine projects and \$5 million isn't going to amount to very much to help the poor in this province.

ONTARIO PROVINCIAL POLICE

Mr Robert W. Runciman (Leeds-Grenville): In the time left, I want to respond to the statement by the Solicitor General in respect to the additional funding and hiring of additional uniformed forces for the OPP. This is a positive step and I feel extremely good about it. I want to compliment initially the police association, which is usually quiet in matters like this, but because of the lack of response from this government got very actively involved.

We had a petition, tabled with the government some time ago during an opposition day sponsored by the Progressive Conservative Party on police services in this province, from close to 15,000 Ontarians concerned about the failure of this government to provide adequate funding for the OPP.

I also want to mention the member for Dufferin-Peel, David Tilson; the member for Simcoe East, Al McLean; the member for Simcoe West, Jim Wilson, and the member for Burlington South, Cam Jackson, who've raised issues of concern related to the lack of adequate funding for the OPP over the past couple of years.

In respect to this, I think there's something like 90 members of the OPP who've been lost through attrition in the last year or so while there's been a hiring freeze on. We think this is a good first step. It certainly doesn't come close to meeting the manpower needs policy of the OPP, and we'll be continuing to pursue this matter with the Solicitor General.

In respect to policing at large, we still have grave concerns about the attitude and approach of this NDP socialist government towards police officers in this province. We see in respect to appointments like Susan Eng, the chair of the Metropolitan Toronto Police Services Board. We see a close adviser to this government, Dudley Laws. Certainly serious questions can be raised about that gentlemen. Lennox Farrell is a close adviser to the Minister of Citizenship,

who's most prominent for assaulting an ambassador and his picture appearing in a major daily, lying out behind a paddy wagon, handcuffed. We have the Premier of this province, after a shooting in Metro Toronto, saying, "There's a disturbing pattern of violence against blacks," without knowing any of the facts and casting aspersions against all police officers in this province.

DRUG BENEFITS

Mrs Barbara Sullivan (Halton Centre): Mr Speaker, I rise on a point of order under section 31(a) of the standing orders of the House, which reads:

"A minister of the Crown may make a short factual statement relating to government policy, ministry action or other similar matters of which the House should be informed."

The principle of parliamentary government is that government proposes and Parliament disposes, and we must have the information with which to do so. I'm given to understand that a decision has been made by this government to delist what could possibly be up to 100 or more drugs from the Ontario Drug Benefit Formulary.

The decision has also been made that no announcement of that course will be taken while the House is in session. Section 31(a) talks about information concerning "ministry action or other similar matters of which the House should be informed."

In no public issue relating to our medicare program and its delivery under health care is there an issue that is quite as important to seniors and to people on social assistance as the decisions which have been taken by the government in this course.

There were 11 minutes, 37 seconds in ministerial statements today when the Minister of Correctional Services completed his remarks. More than eight minutes remained in which the Minister of Health could have presented to the House the decision that had been made by government.

It's offensive to this Legislature, to seniors and to people on social assistance that she did not do so.

The Speaker (Hon David Warner): I appreciate the member's interest in the matter which she describes to the Chair. I must tell the member that on a number of occasions I have informed the House that the Speaker does not have the power to have ministers make statements and that indeed there's time allotted each day for ministers to make statements, should they choose to do so. It's a voluntary process.

Mrs Sullivan: Mr Speaker, I'd like to ask for unanimous consent for the minister to make a statement on this matter now.

The Speaker: Do we have unanimous consent for the minister to make a statement? No, we do not.

1410

CONSIDERATION OF BILL 150

Mr James J. Bradley (St Catharines): Mr Speaker, I'm rising on a point of order which I think is of significance to you particularly and to all members of the House. That point of order revolves around the member for Victoria-Haliburton, who as you know is one of the acting

Speakers of this House, and the fact that on Thursday of this past week, on 16 July, the honourable member for Victoria-Haliburton indicated to Mr Sterling, the member for Carleton, that he would be able to continue his speech.

I don't want to deal specifically with that matter, because I know you've had some discussion of that. What concerns me about this is, in the House yesterday afternoon the member for Victoria-Haliburton, I think in his capacity as one of the acting Speakers, rose to suggest a way out of this particular dilemma where his word was going to be broken; in effect, the word of the Chair was going to be broken. He suggested that unanimous consent be given to allow the member for Carleton to proceed.

Unanimous consent was denied by the government. The government House leader then went down to the member for Victoria-Haliburton, the acting Speaker, and berated him for the suggestion and had other cabinet ministers go down to berate him until such time as the member left the House.

My point of order—because you want me to get to the point of order—is that people who are supposed to be independent, those who sit in the chair, might be intimidated by the government House leader. I wish you would look into this matter, because the next time he may be knocking on your door.

The Speaker (Hon David Warner): To the member for St Catharines: Conversations which occur either in the chamber or outside which are of a private nature are not the jurisdiction of the Speaker, and what the Speaker can deal with are points of order or privilege which are brought to the floor of the House. Indeed the matter of which he spoke was dealt with yesterday. I understand the concern that he expresses as well.

ORAL QUESTIONS

MINISTRY TRAINING SCHOOL

Mr Sean G. Conway (Renfrew North): Over the past 24 hours I've had the opportunity to review the documentation released yesterday by the Minister of Correctional Services, to whom this question will be directed.

I want him and the House to know that, having looked at all of that information, I am, if it is possible, even more incredulous and angrier than I was yesterday. I want to turn particularly to the former deputy minister's memorandum of July 15, 1992, that written by Ms Palozzi a day after Mr Runciman's question in this House, directed to the secretary of cabinet.

In Ms Palozzi's quite remarkable memorandum—remarkable, in my view, for what it does not say as much as for what it does say—she indicates that she took a decision on or about July 2 not to inform the Minister of Correctional Services about the allegations of serious and consistent sexual harassment and assault at the Bell Cairn centre, to quote the memorandum, after "a thorough discussion with senior ministry officials" and "appropriate and expert legal advice."

My question to the Minister of Correctional Services is, who were the expert legal advisers who advised your former deputy minister not to inform you of those events?

Hon Allan Pilkey (Solicitor General and Minister of Correctional Services): I wasn't present at those particular meetings. I hesitate to assume, but I assume that that advice would be from the ministry's legal branch.

Mr Conway: I'm trying to be dispassionate, but these answers, I say to you, are incredible and infuriating. Here we are now, almost 10 days after the member for Leeds-Grenville reported to the House a matter of grave concern to all of us, and today the Minister of Correctional Services, who unlike the former deputy remains in his post, cannot tell us who the expert legal advisers were in his own department who advised the then deputy not to tell the minister of the serious and persistent pattern of sexual harassment and particularly the very serious sexual assault that is alleged to have occurred at Bell Cairn on or about June 1.

My supplementary to the Minister of Correctional Services is this: When did anyone in the office of the Premier or in the Cabinet Office first learn about these incidents at Bell Cairn and elsewhere within the Ministry of Correctional Services? Will the Minister of Correctional Services tell me and the House, to the best of his knowledge, when anyone in the Premier's office and/or in the Cabinet Office first learned about these so-called Bell Cairn incidents?

Hon Mr Pilkey: As I responded to the member in his initial question, it was my recollection that it was the legal services of the ministry, which I assumed that it was, and I have confirmed by checking back on my notes that it was indeed.

Beyond that, this member opposite started, I believe it was last week, with all kinds of questions, assertions, speculations of all sorts and all manner. He was given very responsible and forthright answers. He chose not to believe them. Those questions have now been shown to him in black and white and in a quite factual way and confirmed that which I have told him. He now has all the information, at least the pertinent information with respect to this matter, and he can draw whatever inferences he wishes.

We have two investigations ongoing: one by the police, who are looking at the problems at Bell Cairn; and the second by Judge Hansen in terms of an independent review of all of the facts and all the considerations that are pertinent and relevant to this situation. Surely, Mr Speaker, that, coupled with the information and the confirmations he was given yesterday, should be sufficient while we await Judge Hansen's report.

Mr Conway: I listened carefully to how this minister chose not to answer my questions, and, pathetically, this minister seems to believe that ignorance is his excuse. I submit to you, sir, that ignorance is his crime.

Hon Evelyn Gigantes (Minister of Housing): Ask a question.

Mr Conway: I will ask a question. We all know this is a highly centralized government. I know that Dina Palozzi has good and strong connections in both the Premier's

office and in the Cabinet Office. I ask again, to the best of the honourable minister's knowledge, when did anyone in the office of the Premier or in the Cabinet Office first learn about the so-called Bell Cairn incidents, the incidents that are complained of, for example, in a March 2, 1992, memorandum by your own assistant deputy minister, who raises an alarming concern about what he considers to be the rising tide of abusive and assaultive behaviour at that facility?

Hon Mr Pilkey: The member opposite knows well when and how the issue was raised. It was raised by the honourable member opposite. He knows subsequent to that the matter was dealt with in a positive and a very expeditious way. If he can't remember, let me recount for him the three major, positive, immediate, expeditious steps that were taken: (1) A police investigation was commenced so that perpetrators of any alleged crime could be brought to justice. (2) The Bell Cairn centre was closed so that we would not have in our ministry or anywhere in the public service a workplace that was other than free from harassment and discomfort to any of the employees involved. (3) Judge Hansen was appointed. That's direct, it's positive, it's expeditious, it will come to the bottom line of the question, and I quite frankly perceive all of these additional questions as some kind of expedition of some sort.

1420

Mr Conway: My second question is to the minister of justice, the Attorney General. His colleague the Minister of Correctional Services released materials yesterday that tell us, among many other things, that at a meeting on July 2, 1992, the director of the legal services branch of the Ontario Ministry of Correctional Services attended at a high-level meeting with a number of other senior executives within the Ontario public service, at which meeting there was a full and apparently frank discussion about the very serious allegations of sexual assault and gang rape that were alleged to have occurred at Bell Cairn on or about June 1, 1992.

My question of the minister of justice is simply this: Since the director of legal services for the Ministry of Correctional Services is one of his lawyers, when did the Ministry of the Attorney General, and most especially either the Deputy Attorney General or the Attorney General himself, first learn about the incidents at Bell Cairn, most especially the ones that were talked about at the July 2, 1992, meeting held by the former Deputy Minister of Correctional Services, Ms Dina Palozzi?

Hon Howard Hampton (Attorney General): I'm advised that the director of legal services in the Ministry of the Solicitor General spoke to the assistant Deputy Attorney General for civil law matters shortly after July 15; in other words, after this matter was raised in the House by the honourable member for Leeds-Grenville.

Mr Conway: We have documents—
Interjections.

The Speaker (Hon David Warner): Order.

Mr Conway: My supplementary to the minister of justice is this: When did he or Judge Thomson, his deputy minister, first learn about the incidents at Bell Cairn, and what did he or Judge Thomson do when they first learned about the issues that were put before the director of legal services for the Ministry of Correctional Services, allegations of the most serious and grave kind, on or about July 2, 1992? When did the Attorney General and his deputy first learn about these allegations at Bell Cairn and what did they do upon first hearing of these very serious matters?

Hon Mr Hampton: I first learned of the issues surrounding Bell Cairn when they were raised in the House here on the 15th. I'm advised that the Deputy Attorney General learned of them the same day, and following question period of that day, the director of legal services in the Ministry of Correctional Services was contacted by the assistant deputy minister of the civil law division of the Ministry of the Attorney General to ask for information that might be pertinent to the issues.

Interjections.

The Speaker: Order. The final supplementary belongs to the member for Renfrew North.

Mr Conway: We have the memorandum of the former Deputy Minister of Correctional Services, which I must say I do not personally believe was written entirely by her, nor do I believe it was written on July 15. It is my submission that this was written—

Hon Ms Gigantes: Are you saying it's a forgery?

Mr Conway: Well, it was written, I believe, by a committee and backdated to July 15, because there is no way this information could have been pulled together in 18 hours.

Ms Palozzi's July 15 memorandum states that she chose not to inform her minister of the most serious and grave allegations of the most serious and grave sexual assault, she says, because she had appropriate and expert legal advice. That expert legal advice clearly came from justice department lawyers.

Will the minister of justice, the Attorney General for Ontario, commit this day to table in this House forthwith the expert legal advice that was tendered by his lawyers to Ms Palozzi which would have helped her make her decision not to inform her minister about matters of first-order importance?

Hon Mr Hampton: I stand to be corrected, but I'm not aware at this time that any advice was given by the director of legal services in the Ministry of Correctional Services by way of memorandum to the deputy minister of corrections. I'm not aware of that at this time. What I am aware of is that the director of legal services did attend a July 2 meeting.

While the member opposite assumes he is some sort of expert in this area, I want to say, just to get this on the record, that the director of legal services in the ministry of corrections is an experienced crown attorney. She has conducted many sexual assault trials. She has been a policy adviser to the women's directorate. She has instructed judges and crown attorney's defence counsel on issues of

sexual assault and sexual harassment. She is aware of how sensitive and how difficult these issues are for victims.

Out of that July 2 meeting, I am told that basically what happened was this: First of all, there was at that time no tangible information available to give to the police. There were no complainants who were willing to come forward at that time. Unfortunately, there were no witnesses who were known at that time. There were no details.

Second, there was a very real danger that if a police investigation were launched at that time without giving the victims an opportunity to come to grips with what had happened to them, that would have amounted to a revictimization of those two women.

So while the opposition here wants to cast fault on everyone, I think the point is this: There were people in the ministry who were dealing with a very difficult social situation, one that has existed for many years, and were trying to do their best in this instance for the victims, to provide the victims with the kind of support they needed so that the matter could then proceed correctly.

VISITOR

The Speaker (Hon David Warner): I would invite all members to welcome to our chamber a very special guest, the Honourable T. M. Jacob, member of Parliament and Minister of Culture for the state of Kerala, India. Welcome to our chamber.

1430

MINISTRY TRAINING SCHOOL

Mr Robert W. Runciman (Leeds-Grenville): I have a question for the Minister of Correctional Services. For the past week and a half now he has indicated he is personally not responsible for the fact that, as I've described it, a passive coverup occurred within his ministry with respect to allegations of a gang rape on the grounds of a provincial institution by provincial employees. He's indicated that although practically everyone else within his ministry knew about it, he didn't, and he feels that's an adequate defence.

I think there's much more to this. I received another phone call today from a senior person in the ministry, and I know this person to be a credible source. The caller told me it is the view of senior and junior staff in the ministry that the minister is uninterested in the ministry, incompetent and unavailable. There is no confidence in this minister among senior and junior staff, and the ministry is said to be in a mess.

The minister and the Premier have placed a gag order on the staff, as we found out yesterday when we tried to contact them. He's also attempted to place a gag order on the former deputy minister, Dina Palozzi, to cover up for the incompetence of the minister. In fact, this is one of the biggest coverups that's ever happened in this Legislature. The minister and the Premier have spent a lot of time defending their positions on this issue, yet the former deputy minister has been forbidden from telling her side of the story.

How does the minister justify that? Why is he afraid of what the deputy minister might say? You've defended

yourself, but you've forbidden Ms Palozzi to tell her side. Will you lift that gag order? Let her tell her side of the story.

Hon Allan Pilkey (Solicitor General and Minister of Correctional Services): First of all, I find those remarks very offensive indeed. I find them totally unfortunate, and I regret hearing them from him or anyone else.

I cannot answer for what was in the minds of other people. I can tell you that the information I gave this House last week was correct and that it has been confirmed. It has been confirmed in writing, in black and white, and it is signed. Beyond that, I find these inferences totally inappropriate and unfortunate.

In terms of the issue itself, all of the effective and immediate steps that would have been appropriate have been taken.

Mr Runciman: The minister regrets hearing comments like that from me, and I regret having to say that in this House. I do, seriously. I said earlier that I personally like the minister. But I want to say that these are grave charges from a very credible source, and the minister's evasions and denials just won't wash any more.

This is a coverup by the Premier and his government that makes Richard Nixon look like an amateur.

I want to say that the deputy on this matter was effectively blindsided. She was fired five minutes before question period last Wednesday by the Premier personally as part of a salvage operation, a political coverup of this minister's incompetence, sacrificing a 20-year civil servant with a blemish-free record of commitment to women's issues as part of this coverup. The deputy should now be given the opportunity to explain her side of the story. She's been thrown to the wolves by the Premier and told not to say anything to the media.

If there's nothing to hide, Minister, we have to know why you're covering this up. Why are you not allowing the deputy to speak publicly? Will the minister tell us why the gag order is in place, for not only Ms Palozzi but other ministry staff—they won't talk to us—and will he recommend to the Premier that the gag order be lifted immediately?

Hon Mr Pilkey: I have to try to bring some rationality back to these questions coming from members opposite. Who called for the police investigation? This government did. We did. Who called for the independent inquiry which will be conducted by Judge Hansen? This government did. We did. They would seem to be strange actions indeed for people who were trying to hide or cover up something, wouldn't they?

Mr Runciman: That response is regrettable, to say the least. The fact of the matter is that senior and junior ministry staff have no confidence in the minister. They think he's incompetent. This is a fact. To resolve this issue we must put it before a parliamentary committee, call Ms Palozzi and senior bureaucrats forward and find out what they think of the minister. Let them come forward. Don't say that. Let them come forward. If it's indeed true, and we know it is, then the minister must resign.

This is a massive vote of non-confidence in this minister from his own ministry. They have no confidence in him, but they've been told to keep quiet, and the phone call I received today confirms it. Will the minister do the right thing today, have the gag order lifted and direct this entire issue to a parliamentary committee for a full hearing, to provide Ms Palozzi and senior ministry staff the opportunity to tell their side of the story?

Hon Mr Pilkey: The member opposite seems to want to shift the whole issue, the whole matter, and the unfortunate alleged occurrences at Bell Cairn. The facts, in black and white, in writing, signed, clearly suggest—they don't suggest; they say it—that I was not informed and that the matter was raised in the House by the member opposite before I was able to be advised. Knowing that, I don't understand what kind of circumstance this member is after and what kind of trail he's trying to follow, but it surely isn't the matter at hand.

Mr Charles Harnick (Willowdale): My question is for the Minister of Correctional Services. Yesterday, Minister, I asked you what an independent review entailed. You told me: "We want to have her review the ministry responses with respect to those allegations" of sexual assault. "We want to have her provide for us certain conclusions with respect to the way the matter was handled in respect to the ministry. We are also going to have her interview staff," and included in the staff were ministry employees. How is she going to carry out this independent review? Is she going to do it in public? Is she going to let the public hear an examination of all the witnesses, and will you recommend that that be the course that is taken?

Hon Mr Pilkey: I responded yesterday as to what would be done and how it would be done. I've indicated that to the member. He's repeated that very same answer back to me this afternoon so I know he's aware of it. In terms of Her Honour, I have every confidence in her. Her background and credibility suggest that an excellent job will be done in every aspect she reviews.

Mr Harnick: It's interesting that the minister, who claims he's telling the truth and has nothing to hide, will not recommend that this review be done in public.

Minister, I'm referring you to the Public Inquiries Act. Section 2 says:

"Whenever the Lieutenant Governor in Council considers it expedient to cause inquiry to be made concerning any matter connected with or affecting the good government of Ontario or the conduct of any part of the public business thereof or of the administration of justice therein...the Lieutenant Governor in Council may...appoint one or more persons to conduct the inquiry."

1440

I don't know when the good government of Ontario or the public administration of Ontario could be questioned more than it's being questioned now. We have had a situation that leads everyone to believe there is systemic sexual harassment within your ministry. If ever there was a time that we have the public crying out for a public inquiry into good government, this is the time. Will you instruct Judge Hansen to conduct her inquiry pursuant to

the Public Inquiries Act so the public can see that justice is being done?

Hon Mr Pilkey: I think the citizens of Ontario can expect justice to be done using two very capable forces—namely, the police force which we have commissioned to investigate this matter, and second, an independent review by a very capable, neutral third party, a judge, both initiated by this government so that information can be delivered.

Mr Harnick: Minister, I've now had the opportunity to ask you four times to hold a public inquiry. You are telling us that you're telling the truth, you're telling us that you have nothing to hide, yet you don't have the guts to stand here and answer my question and tell the public that you can have the inquiry so that everybody can see, so that witnesses will be summoned. All you do is convince everyone in this chamber and everyone watching that you have something to hide.

Now I'm asking you for the last time: Will you have to guts to call a public inquiry to examine not only everybody else's actions but your own actions or inactions?

Hon Mr Pilkey: First, may I say that I'm pleased the member is asking that question for the last time. There are, in addition to the police investigation and the third-party independent fact-finding investigation we have commissioned through Judge Hansen—

Mr Harnick: You don't have the guts to clear your own name. You're a wimp.

The Speaker (Hon David Warner): Order, the member for Willowdale.

Hon Mr Pilkey: Mr Speaker, do I have to be subjected to that kind of harangue?

Mr Harnick: Yes, because you're not telling the truth. You don't have the guts to have a public inquiry.

The Speaker: While the choice of vocabulary by the member for Willowdale is not necessarily unparliamentary, the member will know that this is a very sensitive issue. Perhaps it would be helpful to try to find more temperate language as a way to both ask questions and receive answers and hopefully resolve the issues that are before the House. I ask the minister if he could succinctly complete his remarks.

Hon Mr Pilkey: The third point I wish to make—

Mr Harnick: Tell us why we can't have a public inquiry.

Hon Mr Pilkey: —in addition to the police and the investigation by Judge Hansen, is that there are certain—

Mr Harnick: Answer the question.

The Speaker: Order.

Hon Mr Pilkey: If the member opposite would please quit that diatribe and allow someone to responsibly answer his own question, there are certain sensitivities—

Mr Harnick: No. Just tell us why you won't have a public inquiry. You've got no guts because you're not telling the truth.

The Speaker: Order. Need I say more, the member for Willowdale?

Mr Harnick: I'll withdraw that, Mr Speaker.

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Minister of Correctional Services. The minister will know that the issue is very much you, Minister, and your competence.

As we look back over the history of this institution, there was sexual harassment virtually from the time the place opened up, and in the documents you released yesterday we saw even more instances. It was a series of them, starting last September and going on, it looked like, almost monthly, a series of sexual harassments and, we understand, sexual attacks. Yet in the document that you released yesterday the deputy minister was very clear that she was reporting on only one incident, and that is the incident in early June. She didn't comment on whether or not she had told you about any other instances.

The document is very clearly and carefully written to limit itself to that one incident. It's only that incident about which she is saying you weren't informed. It's not about the incidents in September and all the other months. As I say, the letter is very carefully crafted to say that it was only that instance she didn't tell you about. It goes on to mention that she would have told you about the incident in the future; it indicates that she would have told you about other incidents.

My question to you is this: Why did the deputy not release in her letter a confirmation that you were not told, neither you nor any of your staff, about the incidents in September and October and all those other incidents? Why was it limited to this one specific instance where she said that you weren't informed?

Hon Mr Pilkey: I cannot answer for what was in the minds of other people. Secondly in response to that question, I urge the honourable member to read that letter in its entirety, because the answer to his question is also contained there.

Mr Phillips: You make no sense, to be honest with you. The letter is very clear. It says that in that instance you were not informed. The letter does not go on to say that in no other instances were you not informed. The letter does not say that neither you nor your staff were not informed about all those other instances. I would ask you to get up and read the portion of the letter that says you, nor your staff, were never informed at any time about any of the problems at Bell Cairn from the day it opened until July 14. Read me that portion of the letter where the deputy says that you were never informed about any problems at Bell Cairn.

Hon Mr Pilkey: I can't do more than refer the member to the letter that he has in his own hand. I am not going to join him in making speculations or innuendo out of it. In my view, it touches on a variety of very salient points. They are clear, they are direct and they are confirmation of what I told this House from day one.

Mr Runciman: I know the minister was not advised of what was happening in Bell Cairn, and I think the deputy can be taken to task for that matter. But I want to say

there were extenuating circumstances in respect to that ministry which the minister is not prepared to accept responsibility for. Those are the questions of disinterest, the perception of incompetence and his general unavailability.

We've had indications of systemic problems widespread within the ministry, the ministry generally in a mess. I want to ask the minister, has he had any concerns prior to this incident coming forward about the performance of his deputy? Was he happy with the performance of his deputy? If he had any concerns did he ever discuss them? Can he give us an indication of how he felt Ms Palozzi was performing prior to this occurrence.

Hon Mr Pilkey: This is not a forum, so far as I know, for a job evaluation exercise. If the member opposite is trying to get me to say something bad or difficult with respect to the deputy minister, he is not going to be successful in that regard.

Mr Runciman: Well, they didn't care about providing a forum for Ms Palozzi. They hung her out to dry. They've got a gag order on her and other ministry staff and won't even let them tell their side of the story.

Mr Runciman: We think there are very serious problems. I have a letter I'm going to send over to the minister now which confirms that this ministry is indeed in a mess and concerns sexual harassment charges. We've blocked out relevant portions of the letter for release, but I'm going to also send an original copy to the minister.

This is relevant to the ministry of corrections and the minister allowing the promotion in a regional office of an individual who is under investigation regarding sexual harassment charges. I'll just abbreviate this. There is considerable concern within the ministry; there is not widespread knowledge of this. During the interim, the individual has been promoted to a job which requires responsibilities with respect to the government's sexual harassment policy; a searing indictment. I indicate that this is not signed, but I think it's another serious charge added on to significant charges.

1450

We've talked about damage control here for a political coverup. I'm asking this minister again: Will he allow Ms Palozzi and other ministry staff to come forward and speak to a parliamentary committee? Let's open this to public airing.

Interjections.

The Speaker: Order. The member for Burlington South, come to order.

Interjections.

Hon Bud Wildman (Minister of Natural Resources and Minister Responsible for Native Affairs): On a point of order, Mr Speaker: I call your attention to order 23(k).

The Speaker: What is your point of order?

Hon Mr Wildman: The use of "abusive or insulting language of a nature likely to create disorder" in the House. I wonder what action you're taking in regard to that order.

The Speaker: If there is indeed grave disorder, the House can be recessed for a while. Members will know that the clock continues to move. If members wish to spend their time yelling at each other, then the clock will continue to move. I ask the minister to respond to the question if he so chooses.

Hon Mr Pilkey: I've responded in a factual way. The information is before everyone, it's been released, the investigations have been called. What more can one say?

SOCIAL ASSISTANCE

Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings): My question is for the Minister of Community and Social Services. My question concerns Bill 154, An Act to prohibit the Charging of Fees for the Cashing of Government Cheques, introduced by Mr Morin, the member for Carleton East. Certainly his bill has generated some interesting debate and raised some concerns among all members. The problem is that cheques issued by the government are being cashed at cheque cashing institutions such as Money Mart, which charge a percentage fee for this service.

There is concern by members of this Legislature and by the Daily Bread Food Bank that family benefit allowance cheques and other social assistance funds are not fully received by those people for whom the cheques were intended. Banks, trust companies and credit unions require acceptable identification of any person cashing a cheque, unless they happen to have an account at that particular bank. Factors such as the requirement for acceptable identification, restricted hours and accessibility may result in people turning away from banks, trust companies or credit unions.

My question to the minister is this: Are cheque cashing institutions such as Money Mart an alternative to banks, trust companies and credit unions in the province of Ontario?

Hon Marion Boyd (Minister of Community and Social Services): Our members have expressed their concern, just as the member for Carleton East has, about the whole issue of people charging money at these cheque cashing outfits and therefore lowering the amount of social assistance that's available.

We are very concerned that we might make the same mistake the province of Quebec made in passing this bill before we complete our negotiations with the Canadian Bankers Association, which the Treasurer and the Minister of Consumer and Commercial Relations have undertaken and which in fact are moving along quite well.

We also want to be sure that we have really done as much as we can to encourage direct deposit of cheques for social assistance recipients. We have about 33% of recipients who are currently on direct deposit. We are negotiating with four different municipalities to attempt to do that with general welfare assistance as well. We are moving along with this, but if we do what the province of Quebec did and close down these operations, effectively, there will be many people who will have no place in order to cash their cheques, and that, therefore, causes hardship for themselves and their children. We don't want to make that

mistake in Ontario as they did in Quebec, and therefore we want to put these other things into place before we take that action.

Mr Johnson: The minister has at least in part answered my question, but I would like to know what action the government is taking to meet the needs of social assistance recipients who are indeed presently in need of this service.

Hon Mrs Boyd: As I said in answer to the member's first question, we are first of all encouraging direct deposit. We have a campaign that is in place this summer to encourage that and to further that. We are working with the group that is beginning the consumers' council to ensure that there is widespread information available to consumers about their ability to have that service.

We are working with the Canadian Bankers Association to try to do two things, and they are very important. One is to ensure that there is non-stigmatizing, appropriate identification means for social assistance recipients, because it is not appropriate for us to demand a different level of identification for them than for other citizens.

The second is to negotiate a form of indemnification for banks. Their concern is that many social assistance recipients have a bad credit rating, have not been able to sustain a good banking relationship, and therefore they are refused as clients. The banks are saying that if we can negotiate an indemnification against fraud for them, they will be much more willing to allow these folks to open accounts and therefore be able to use the banking institutions that all of us enjoy.

MINISTRY TRAINING SCHOOL

Mr Ian G. Scott (St George-St David): I have a question for the Minister of Correctional Services. We've learned over the last two years that when ministers get into trouble in this government, they have found that there's always one response that seems to work. The response is: "It wasn't my fault. It was somebody else's fault, and here's the person who it was."

You only have to think of the former Solicitor General, who said that he didn't write the letter, he didn't sign the letter. You only have to think of the Minister of Community and Social Services, who said she didn't organize a conference at a ball game at the Dome, that somebody else did and, "Here's the bureaucrat who did it; it was her fault, not mine." Even Shelley Martel, who at the end of the day admitted she told a lie, said she did it because she was overworked by her staff and her schedule was too long for the day and she "lost it." So we all find in this government that there's always somebody else to blame when a mistake is made.

The minister has set a new high standard. His explanation is: "I wasn't told anything, I didn't know anything and the people who were supposed to tell me didn't tell me about it. Even though they had all been worried about it for 10 months, since the day I left the place when I cut the ribbon, and had been writing memos to each other, and 12 to 18 of them were concerned and the director of legal services was giving legal advice, I knew nothing."

The Speaker (Hon David Warner): Does the member have a question?

Mr Scott: It may be fair to say that it's all somebody else's fault. But I ask the minister, will he do this, in fairness? If you want to blame the others, by all means, be my guest. But in fairness, will you permit—

Interjection.

The Speaker: The member for Cochrane South, come to order.

Mr Scott: In fairness, will you permit your deputy, whom you propose to blame for not telling you anything, and the director of legal services, who didn't tell the Attorney General anything either, both of them distinguished, long-term public servants, to tell their side of the story? Why should you have it all your own way? Let them tell the public what they know.

Hon Allan Pilkey (Solicitor General and Minister of Correctional Services): Pardon me, but all I did was present the facts. Members opposite seem to have a problem with that. What can I do?

[Laughter]

Mr Scott: I hope our TV audience will forgive us, but if it weren't so serious and if it didn't concern the administration of public affairs in Ontario, it would be absolutely laughable.

Interjection.

The Speaker: The member for Cochrane South, come to order.

1500

Mr Scott: The excuse of all these ministers is: "I didn't know. Nobody told me. I'm sitting here at my desk and no one comes and tells me anything." That isn't the way you run the public service.

I'm not going to call for the minister's resignation again. I frankly don't care whether he comes or goes. He can stay with the walking wounded in cabinet if he wants to. I simply say this to him: Your government imposes obligations, for example, on chief executive officers of companies for whom lack of knowledge is not an excuse.

The Speaker: And your supplementary?

Mr Scott: Why do you take a standard that you will not permit in environmental affairs, in occupational health and safety, in labour standards and in a whole host of other matters where you lay down rules for others? Why don't you submit to the kinds of rules you ask others to submit to?

Hon Mr Pilkey: In documents which I have released, the answer and the facts of this issue are very clear. When seized of this information, I took exactly the proper managerial actions in terms of the police closing the centre and of calling an independent judiciary into the process to bring forward recommendations and information as a result.

I can't tell the member opposite what was in the minds of others.

Interjection.

The Speaker: The member for St George-St David.

Hon Mr Pilkey: He will have to depend on their own factual account in writing that he has before him and that he was told of previously by myself.

The Speaker: New question, the member for London North.

Mrs Dianne Cunningham (London North): My question is not to the Minister of Correctional Services because I believe this minister is—

The Speaker: To whom is your question directed?

Mrs Cunningham: —unaware and unwilling to be aware of the problems facing women in his ministry.

My question is to the minister responsible for women's issues. Madam Minister, since my colleague the member for Leeds-Grenville raised this unfortunate case in this assembly last week, we have heard a great deal about the Minister of Correctional Services's decision to close himself off from uncomfortable information. If we didn't hear it, we have read about that ministry in this report in detail.

The minister has said he didn't know that two women are alleged to have been attacked at Bell Cairn, and I believe he didn't know that. He also said—and can you believe this, Mr Speaker?—that he didn't know about the facility's troubled history. There is no way, given the memorandum of February 24—you can all read it—and another memorandum of March 1992—you can all read it. It was sent not to a regional director but regional directors, copied to many staff. This has been known in this ministry, and for this minister to stand up and say he's unaware of the problems in this correctional institution is unbelievable.

I have to say, Madam Minister, that you have the responsibility to educate your cabinet colleagues, to warn them that they cannot close their eyes nor can they allow the people who work in our institutions to close their eyes to the systemic discrimination and injustice described in this report, which I read with sadness. Minister, why did you fail to fulfil that responsibility in Allan Pilkey's case?

Hon Marion Boyd (Minister of Community and Social Services and Minister Responsible for Women's Issues): I simply reject what the member has suggested. This is a government that takes responsibility right across all ministries. In fact, our backbenchers are as concerned about this issue as we are. We have discussed the issue of sexual abuse, sexual assault and sexual harassment, within our caucus and within our cabinet on a number of occasions. Many of us on this side of the House are survivors of sexual abuse, sexual assault and sexual harassment. We feel very deeply about this issue and our male colleagues feel very deeply about this issue.

We have worked with the Management Board secretariat in terms of the policy that is in existence, but we all know, and the members on the other side of the House know, that policies against sexual harassment have been available in this government for some time. The issue is trying to change the attitudes; bring out, in the people who are being affected by sexual harassment and sexual abuse, the confidence and the safety they need in order to actually

be able to survive themselves and find ways to bring this forward.

I want to be very clear. I am absolutely disgusted by the actions of both members of the opposition parties in terms of—

Interjection.

The Speaker: The member for Burlington South is to come to order.

Interjections.

Mr Ernie L. Eves (Parry Sound): On a point of personal privilege, Mr Speaker: I want to say to the Minister of Community and Social Services that it's that type of soapbox, BS statement and incompetence that led to sexual harassment by their incompetent ministers over there. Tell him to straighten up his act. Have a public inquiry.

The Speaker: Would the member take his seat.

Interjection.

The Speaker: Would the member for Parry Sound take his seat.

Interjections.

The Speaker: The member for Leeds-Grenville.

Interjections.

The Speaker: Order.

Interjections.

The Speaker: This House stands recessed for 10 minutes.

The House recessed at 1507.

1519

The Speaker: The member for London North with her supplementary.

Mrs Cunningham: Mr Speaker, I was disappointed just before you adjourned this House for a break to hear the minister talk about being disgusted with the opposition parties with regard to this issue, because I have to tell you that we're pretty disgusted with the lack of action on behalf of this government, all of us on this side of the House.

I think everyone in this House who represents the public is very much aware of the challenges out there in the real world with regard to women's safety, especially recently, and certainly sexual abuse in the workplace. This minister, more than anyone I personally know, has dedicated her life to making this world a better place for women. I say that as a compliment. But I also have to say this government does not have a monopoly on caring about women's issues. We care on this side of the House as well, and we too have experienced what this minister says she has experienced.

The Speaker: And your supplementary?

Mrs Cunningham: I'm asking my question with regard to a comment I read today. It went something like this: Women said they were attacked by their coworkers and then they were silenced by "fear of reprisals if they pressed charges against the men involved."

The minister who is responsible—after a whole year of reports on these incidents; not just the one that my colleague

raised, but on everything—says he's now going to get to the bottom of it.

As the minister responsible for women's issues, will you explain why it takes media headlines and a public outcry before this government takes action on allegations of ongoing harassment and gang rape at a government facility?

Hon Mrs Boyd: As soon as this government knew about these incidents, it went ahead and acted very vigorously. We didn't wait to hear about these incidents, however, in order to act vigorously. We have worked very hard to improve the sexual harassment policies of the government to begin to build the confidence of women within the government that this is a government that will listen to the complaints that have been there for a long time and that is prepared to give them voice.

Interjections.

The Speaker: Order.

Hon Mrs Boyd: I am tired of being silenced myself in this House every time I try to talk about the need to give victims voice.

Interjections.

The Speaker: Order. The member for Burlington South, come to order.

Hon Mrs Boyd: We are very, very tired about the fact—that in this whole discussion over the last week the opposition has made a political football of the pain and suffering of women, and that is not appropriate. What we are saying is that we are dedicated to—

Interjections.

The Speaker: Order, the member for Renfrew North. Would the minister take her seat.

INTERNATIONAL TRADE

Mr Randy R. Hope (Chatham-Kent): My question is to the Minister of Industry, Trade and Technology. Since about 1988, devastation has hit my community and a number of communities in the province. Lately the constituents have a number of concerns, and one of our birthday gifts in Kent county was the possibility in the next year of 300 jobs in my community being moved to Mexico from Wallaceburg, Ontario.

I've seen the devastation that has taken place in Kent county under the US-Canada free trade agreement and now with the entry into negotiations with the North American free trade agreement. The call of the Premier last week that we must withdraw from the talks that are taking place was well received by my community. Bear with me because I know I'm not going to get a supplementary on this.

One of the things that was supposedly clarified by the Prime Minister in 1988 was that the rules of origin were in place, and now they're telling us today that the rules of origin have to be clarified. It's been very hard for the people of my riding, which is being devastated; 300 jobs is very devastating to a small community. I want to know what the Minister of Industry, Trade and Technology and this government are going to do to protect the workers that

I represent and have represented since 1988 when this trade agreement came in.

Bear with me. I know you're getting off your seat. One of the things that is very important to us is to make sure that you as the Minister of Industry, Trade and Technology are reflecting the concerns of the people of my riding. I would like to know what has been going on since last week.

Hon Ed Philip (Minister of Industry, Trade and Technology): On Monday the trade ministers met with Michael Wilson in Ottawa. We have an update on the NAFTA negotiations. In fact, the federal government is trying to proceed and hopes to meet the deadline which it has set.

The position of this government has been that there are far too many outstanding issues. In the case of the auto industry, 90% of auto manufacturing is in the province of Ontario, and we have not yet seen even a draft of the proposal on autos. There are still outstanding issues on wearing apparel, the dispute resolution section has still not been resolved, investments have still not been resolved and, of course, labour standards and enforcement are not even on the table.

In light of these uncertainties, I urge the federal government not to proceed on George Bush's agenda of trying to get re-elected as President of the United States. Indeed, we said that in the light of recent and continuous harassment by the United States, we should withdraw and send a clear political message to the United States that we are not prepared to proceed with an agreement as long as it continues to harass Ontario workers and industries.

MOTIONS

ADJOURNMENT OF THE HOUSE

Mr Cooke moved that on the sessional day on which this motion is carried, when the House adjourns that day it shall stand adjourned until September 28, 1992.

The Speaker (Hon David Warner): Is it the pleasure of the House that the motion carry?

Mr Gregory S. Sorbara (York Centre): We have to speak on it.

The Speaker: I'm sorry. My error. It is hard to believe, but it is possible for the Chair to make a mistake. Does the minister have any opening comments?

Mr Ian G. Scott (St George-St David): On a point of order, Mr Speaker—or perhaps a point of personal privilege that arises out of the exchange between the Minister of Community and Social Services and the honourable member for Leeds-Grenville: My admiration for both of them is complete, if somewhat constrained, and the minister is entitled to give any explanation in this House that she wants to give, but she alleges that the opposition parties have taken political advantage of this incident.

She's entitled to that view, and I wouldn't constrain her right to say it, but I think, in fairness to the House, the minister will want to concede publicly in the House that had it not been for the member for Leeds-Grenville, these events, which had gone on in the government for 10 months, would have remained undiscovered. In that sense,

albeit accidentally, the member for Leeds-Grenville has done more for gender equality in this month than any member of the government.

The Speaker: The member will know he does not have a point of order.

Mr Scott: I thought it was one of my better ones.

The Speaker: That's a surprise to the member for St George-St David, I realize, but he does not have one. He speaks, of course, of a very sensitive and difficult issue which is currently before the House.

The honourable House leader for the official opposition.

Mr Murray J. Elston (Bruce): Mr Speaker, I am concerned about what is taking place here today, because what you know is happening is that the government House leader has found another way to bring a closure motion on debate in this Legislative Assembly.

I gave the honourable member for Windsor-Riverside, the government House leader, a letter which indicated our Liberal caucus was prepared to give second reading debate today and tomorrow and vote on second reading of Bill 75, and that we would be finished with that bill so it could go out to committee.

Then I was told that I could not get second reading debate—

Mr Chris Stockwell (Etobicoke West): Must-haves. Interjections.

The Speaker: Order.

Mr Elston: Sorry, Mr Speaker. Now we can't have our time, or what?

Interjections.

The Speaker: I ask the House to come to order.

Mr Sorbara: Why should we come to order? They're shutting us down.

The Speaker: I ask the member for York Centre to come to order.

Mr Sorbara: They're trying to shut the place down.
1530

The Speaker: I ask the member to come to order.

I remind all members that on this particular motion there is a 30-minute time limit per speech. The clock is running. If the Chair needs to bring the House to order, the clock continues to run. I would ask all members in the chamber to try to have an orderly debate and allow the honourable House leader of the official opposition the opportunity to speak.

Mr Stockwell: This is all we ever debate; we only ever debate closure motions.

The Speaker: I ask the member for Etobicoke West to come to order.

Mr Elston: Mr Speaker, in fairness to me, the commotion began because of other things and you've taken time away from me. I did not cause the commotion. I was beginning my remarks and now I'm being punished by losing three minutes of my speaking time.

The Speaker: I draw to the member's attention that the honourable House leader gave up his 30 minutes.

Mr Elston: That's not my fault. Now you're taking three minutes off my time. Listen, Mr Speaker, let's be very clear about what is happening in this place. Any time they want to interrupt our speeches, any time they want to cause commotion, you stand in your place and you let the clock—

Hon Bud Wildman (Minister of Natural Resources and Minister Responsible for Native Affairs): You were interrupted by your own member behind you.

The Speaker: Order, the member for Algoma. Stop the clock, please.

I must say to the House that without the cooperation of all members it is virtually impossible for any Speaker to maintain any semblance of order for debate. I implore that this House find a way to allow orderly debate to take place on the floor of this chamber.

I am asking that the clock be reset to 30 minutes. I ask that all members allow the honourable member for Bruce to make his debate uninterrupted, and that in succession every member of this chamber recognized by the Chair will have an opportunity to be heard without interjection.

Mr Elston: Thank you very much, Mr Speaker.

I begin again by telling the people in the province that this is another way the government has found to bring closure on bills in this House. Mr Speaker, as you know, we have had a whole series of new rules brought into this place that allow the government to push through anything it wants to push through. It is known now as 44a. It was debated yesterday or at least on Monday with you or another Speaker in the chair.

You delivered a decision yesterday with respect to the effect of 44a; that is, after the first three days of debate on second reading, 44a can be brought to close off any further debate by having votes at every stage of a bill's natural process through this place arising upon their order being called.

When we know that 44a does have one limitation, and that is a three-day second reading debate before it can be introduced, now the government House leader comes to this place and says he is moving that this place adjourn on a certain day when this motion is passed, meaning that we have Bill 168, Bill 164, Bill 75, Bill 169 and several others—which he says are his must-have legislation—which presumably then would have to be nodded on, or there has to be a sincere indication by the government that it doesn't care to have this legislation passed.

In my view it is a very sad day in this place when you allow standing order 45, which is known commonly in this place as closure, to stand side by side with standing order 44a, which has a restriction about when it can be introduced, to be augmented by this type of a very nasty piece of business.

What the government has done is found a new way to exclude the members in this chamber from doing anything with respect to asking questions that need to be answered in the public interest. And why is he doing this? Because he is afraid to face the criticism that goes with Bill 75. He knows full well that the people of London and Middlesex are not all unanimous in their support for this bill, and he

knows very well, very clearly, that there is a whole series of ratepayers in the city of London and people in the county of Middlesex who are wondering about their financial future's security.

It seems to me that what this man has done, after we have had but one opposition speaker on his feet and not yet completing his debate, is he has moved to shut us down, or he has, in his infinite wisdom, told everybody that we will all decide it's not worthwhile asking the public questions that need to be addressed.

Why is it that after these rules have come into play, a man who is the government House leader, who said, "Trust me; I will not use these new rules at all to do what you think is unreasonable; trust me," has used standing order 44a on two occasions on two bills that have been brought before this House?

It is my view that if we were given time, he would move it again on Bill 75, the London annexation bill, and I would say to him after three days of second reading debate, "Go right ahead." If he doesn't want to listen to enough of the public concern about that bill, that's his problem. He should know people are concerned about the Brant report. He should know the people of London are concerned about the elimination of the PUC. He should know that the people in Middlesex and London are concerned about the elimination of the suburban roads committee. He should know that the taxpayers in those two municipalities are worried about whether London can entertain all the costs that are associated with the annexation. He should know that the people in the town of Westminster are concerned about whether or not the water and sewage problems in their areas are going to be addressed as part of the new city of London. He should know that all those questions are out there, and he should know that he has either not completed or will not make public the results of his studies of the financial implications for both Middlesex county and the city of London.

Why are we now moving to be closed down? It is because this government House leader and this government is unprepared to listen to the voice of dissent. It is not that we are always right in dissent; it is not that we are always clearly in possession of the better way; but it is right on all occasions that a person who lives in Canada, a person who lives in Ontario, at least until now has had the right to express his or her dissent in this chamber in a way which puts his case, right or wrong.

That is what has been taken from us, and it's been taken from us by a group of people who have always proposed that they, as New Democrats, possessed solely the ability to really implement democracy in our society. They've accused the Tories of being undemocratic. They've accused the Liberals of being undemocratic. They have said that the New Democratic Party is the only party that allows freedom of speech, freedom of dissent and stands for the rights of the minority.

What is the history of this Parliament? It is a trampling under their feet by the New Democrats of every person who would wish to raise a concern about policies of their government. It didn't just begin now; it began with a whole series of problems out of this chamber.

Mr Speaker, I would like to move adjournment of this debate.

1612

The House divided on Mr Elston's motion, which was negated on the following vote:

Ayes 30; nays 62.

The Acting Speaker (Mr Noble Villeneuve): The honourable member for Bruce.

Mr Elston: There were two reasons for moving the adjournment of the debate. One, quite frankly, was so that we could get on with the real business of the House. The second was that I had a couple of telephone calls to reply to because of the shenanigans being orchestrated around Bill 75 and the end of the debate being orchestrated by the government on its own piece of legislation. The only way I could get to take the call from some important people in the London-Middlesex area was to move for an adjournment of the debate so that I could have time to speak to the people locally and consult also with my caucus colleagues.

The first time this particular motion came to the attention of any of us was at about 2 o'clock this afternoon, when the government House leader refused an offer by the Liberal Party to debate Bill 75 both today and tomorrow, ending with a vote on second reading tomorrow afternoon, which would allow the government to complete its business on that bill. I then indicated quite clearly to the member for Windsor-Riverside, the government House leader, and to my colleague for Parry Sound, the third party House leader, that we could then go on to speak about the issue of adjourning the House. But in no case did I feel that it was appropriate that this House be adjourned prior to completing what the government has maintained for so many weeks has been a very full agenda of public business.

I find it extremely interesting that the people who voted in favour of dispensing with the debate on this motion to adjourn the House were the opposition parties, which have maintained all along, during the course of a series of shenanigans orchestrated by the government, in particular by the Premier, to end debate in this place, that we want to do the business of this House, that we want to debate the real business of this House, that we want to do bill after bill after bill that the people opposite want done.

Mr Speaker, let me take you back just a few weeks ago when we found that the government House leader was starting to orchestrate the story in the press that the opposition parties were preventing the business of the House from being—

Interjections.

Mr Elston: Mr Speaker, might I have the clock stopped, please?

The Acting Speaker: Order. There are many private conversations and it makes listening to the gentleman who has the floor very difficult. Please. The honourable member for Bruce.

Mr Elston: I know they don't want to listen to this stuff, but it is part of the way of this Legislative Assembly, at least until the government majority puts in new rules that say we can't even talk about this stuff. Quite honestly,

I expect these people will move to further restrict the amount of time we can speak.

But let me take you back to June 4. About June 4, you can recall that the press was rife with all kinds of suggestions by the government House leader that the opposition parties, and in particular the Liberal opposition, were being so obstructionist that something had to happen, that something had to be done, that the government could not tolerate it because it had fully 121 pieces of legislation which it had to have passed.

At that particular juncture—I think it was up to about May 24—they had only introduced 17 of those bills, and in fact the key element of this session's legislative work, the Ontario labour reform bill, was not even yet brought to this House. But on June 4, Bill 40, the Labour Relations and Employment Statute Law Amendment Act, was brought forward and was introduced at about 2:30 or 3:30 in the afternoon, and lo and behold, shortly after that, on the afternoon of June 4, there followed the rule changes which were brought by this government under the auspices of that democrat, Bob Rae. This contained a whole series of restrictive items which would, I think, have appalled even the most cynical of politicians who have ever dealt with any study of any Legislative Assembly in the history of parliamentary government.

Among the terms of those standing orders suggestions brought by the government House leader was an imposition of a 30-minute speaking time limit on motions just like this. While I began my remarks by indicating that there is now a conspiracy among standing orders sections 44a and 45, and now under the time allowed for each member to speak, to do nothing but prevent debate in this place, I think people will not have recognized the sinister nature of that until they now find that under this motion, we have but 30 minutes to speak to routine proceedings in this place. Before we could have spoken, as an individual member, for an extended period of time.

Interjections.

The Acting Speaker: Order, please. There is a great deal of noise in the chamber and it makes it difficult for everyone to hear. The honourable member for Bruce.

Mr Elston: Thank you very much, Mr Speaker. This will be about the third or fourth time the government party has shouted me down with its continual yipping. I know the poor people on the government benches don't want to listen to criticism about how little debate they allow to occur, but if they don't want to listen, they can sit out in the east lobby. They are right at hand if they wish to be at hand for any kind of interest they may show in this.

But it's obvious what is happening. If they can't get us with rule 45, which is a closure motion to shut us down, if they cannot get us with 44a, which is the time allocation motion, which by the ruling of the Speaker yesterday—

Hon Ed Philip (Minister of Industry, Trade and Technology): Did Greg Sorbara give you permission to say this?

Mr Elston: Mr Speaker, can I ask that you bring the Minister of Industry, Trade and Technology to order? He attends this place so infrequently.

Interjections.

The Acting Speaker: Please, to all members, do show respect for the chamber and for the member who has the floor. The honourable member for Bruce.

Mr Elston: The Minister of Industry, Trade and Technology asked if he had given me permission to say that. I say quite honestly that I don't have to ask his permission to speak in this place. I ask only for the permission of the Speaker if I can speak my piece.

1620

Hon Mr Philip: On a point of order, Mr Speaker: I asked whether Greg Sorbara, the real House leader, gave him permission, not myself.

The Acting Speaker: Okay. It's not a point of order. The member for Bruce.

Mr Elston: They are so bitter. I can't believe for a moment that they are so bitter about the opposition's ability to speak freely in this place about freedom of speech.

I can't understand for a moment why it is that the New Democratic Party is so offended when people want to speak in opposition to its motions and in opposition to closing the Legislative Assembly. They're the people who told us they had 121 pieces of legislation to pass. We hadn't barely got by the Ontario labour relations bill and they wanted out of here. Their whole agenda was done. Then they said, "No, give us Bill 150 and we'll be out of here." Now they say, "Give us Bill 75 and we'll be out of here." But so you know what? We have to give you 150 and we have to give you 75 without any debate.

They allowed only one opposition member to complete his debate on third reading on Bill 150, which was the debate finished by my colleague the member Scarborough-Agincourt, and right in full tilt the member for Carleton was brought to earth not only by the power failure, which I now wonder whether it could have been orchestrated by someone, and was prevented from completing the flight of ideas which were, in my view, going to convince a whole series of people, at least on the government benches, to vote with the member for Carleton and in fact probably against their own bill. But he was shut down.

Then there was moved under standing order 44a what amounts to a closure motion which said that even though a member of the third party has not completed debate on third reading—not one single member has completed his or her debate—the debate is over, it is done, it is closed off.

Now the conspiracy is complete as we deal with another part of those new rules brought in by the government. They have brought in this motion which is designed to have this House rise without completing nearly half, maybe not even 10%, and if I sat down and figured this out, maybe it is less than 5%, of the agenda which they complained they were unable to bring to this House. They never introduced very much of it. Maybe they introduced just over half of the bills they said they wanted to introduce in this session, but I have not counted 121 pieces of legislation the government wanted to do.

Heaven knows they wanted to do but one bill. They really wanted only to do Bill 40, and as soon as they did

enough of the shenanigans to make everybody concerned, they brought in the rule changes. They got Bill 40 by shutting us up, by closing down the debate and now they want to run away from this Legislative Assembly because they really had no business they wanted done in this place at all but Bill 40.

If they'd really wanted to do Bill 40 in the way that is traditional in this Parliament, they would have said in their speech from the throne, "We wish to do the labour amendment act because it is the most important piece of government business that possibly can occur." That would have been okay. It would have been much better had they brought that speech from the throne, backed up by the traditional budget in the spring by the member for Nickel Belt, which also would have, in my view, supported the labour relations amendment act if they had then brought the bill into this place in April so that we could have talked about it.

But when did they bring that bill into this place, when we usually rise at the end of June? They brought it in on June 4 so that nobody would have time to study that bill, so that no one in this province would have time to raise objections and so that no one would be able to consider in a timely fashion the provisions that were first brought to the public light by this government.

We know what these people have done to cause the events to move to their new rules. The conspiracy is now complete with the limitation on the speaking time by each member on routine motions like this. It is but for the public to understand that "democratic" in the New Democratic Party is a word without meaning, without substance, without currency whatsoever.

There is a whole series of other arguments to make in this House about why we should not adjourn, but the most important reason we should not adjourn in accordance with this motion is that we have not got to the work of this House. We have not been allowed to debate, in any event, but they have not allowed us to call into question any of their policies because they won't call the stuff for debate at all.

Interjections.

Mr Elston: There is a whole group of people over there who are laughing and barracking at me, because they don't understand that to get government business done, until they change the constitution of this province, we will have to have first reading of a government bill, we will have to have second reading of a government bill and we will have to have third reading of a government bill, with the royal proclamation and signature by His Honour.

I don't quite understand how to get this across to them, but this chamber is the place where we do legislation, and while they may not want to hear criticism of their legislation, part of the process of doing public business is to listen to people, right or wrong, bring the points of view to this place so they can be measured in debate.

We don't expect on very many occasions to be able to persuade the people across there that our views are correct, but we should have no trouble at all as single members representing constituencies, in common with all the other

members in this House, in convincing those people that we have a right to speak. If there is a member in this chamber right now, if there was a member in this chamber who has ever served here, who believes there is not a right for all of us to represent our constituents, he or she should stand up and declare himself or herself as being unworthy of the trust of the constituents who elected him or her.

We are not gifted with respect to having all the right answers. I realize that, and anybody who has ever served in this place will have realized that. But I realize more than anything that if we are unable to put our cause, then this chamber is not serving the population of our province, and it has served our population for over 100 years, or just about 100 years—this particular chamber. This style of government, however, has served us for as long as we have been historically recorded in this province, indeed in the days when we go back to the first meetings in the 1790s.

I am very, very concerned that what we have seen happening in this Legislative Assembly, in a period of but a few weeks, has been a regression to a time that preceded the great reforms of 1840, when responsible government—at least we were taught in our elementary courses and in Canadian history courses—was brought, through the reports of Lord Durham and others, to the fore in the province.

Why do I say responsible government is being taken from us? Why do I say that the parliamentary government we have been so accustomed to using to do the public business of this place is being destroyed? It is being destroyed by the new set of rules, not, if you look at them one by one, so sinister as to destroy everything we stand for in terms of democratic deliberations, but when you look at them together as a package in the hands of a Premier who would do only as he will and nothing but what he wishes. That is what is so destructive of us.

What is so destructive of the concept of responsible government? It is the way in which the prime minister of this province sustains ministers who are unable to do their public administration in a way which lives up to the standards the Premier said at one point—his early stages, I now admit—he was going to exact of them.

There are real problems in this Legislative Assembly when we are faced with a government that says it has business but then makes motions that cause all of us great concern about the way it is conducting itself. They're not doing their public business. They're not doing their ministerial business. Good heavens, we've been through a whole series of nasty affairs, the latest of which of course is the Pilkey affair. It seems to me, more than anything else, the headline that stood out so clearly the other day, which said "NDP Sex Scandal" in the local newspapers, said it all and it really did cause the panic that has stricken those people on the government benches.

1630

Why have they moved this motion today? It is because we were examining the Pilkey affair for another day, getting close, it seems to me, to the real answers behind those glossed-over replies to our questions by the Minister of Correctional Services. I can't for a moment believe that we

would not be doing the public business if it weren't for the Pilkey affair.

These people are stampeding out of here. They don't want to do pay equity, they don't want to do the London-Middlesex annexation bill before we rise from this chamber. Why? It seems to me they have already feigned that they have some interest in those two particular pieces of legislation, but they have decided on their own wicket that they are going to get out of here because the member for Leeds-Grenville was bold enough to tell the Minister of Correctional Services that he wasn't doing his job and there were serious problems associated with the public administration of his department.

If it weren't for the member for Leeds-Grenville, a member with whom I have sparred on occasion as a government member and with whom I have served on committee in opposition in prior days, if it were not for his attentive ear and his sympathetic and listening and caring character, we would never have heard of the problems that were going on and rampant in the Correctional Services ministry. Goodness only knows, the minister himself, he says, was not told and he didn't know what was going on.

So why is it that we have this motion to can the work of this Legislative Assembly when the government has let it be known that fully 121 pieces of important government business were to be done this session? It is because the government is afraid to confront the people with the real truth around the Pilkey affair.

Why is it that they are not having a public inquiry so that the judge who has been appointed could do the work in public, so that she could call witnesses, in fact swear witnesses in so that the evidence could be collected in a way that would be seen to be not only open but also just?

It is because there is fear of what the facts will allow. Why are we convinced there is fear about that? We are convinced because we know the gag order has gone out to silence the Correctional Services ministry employees. The gag order has gone out to prevent the former deputy minister from speaking and defending herself in public.

I know more than almost anybody else in this chamber that this government is running, that it is hiding and that its sole reason for bringing in the rule changes had nothing to do with 120 pieces of legislation but everything to do with one piece of legislation, the Ontario Labour Relations Amendment Act, and it is now being used on every piece of legislation whether the government says it has any degree of importance in this place or not.

There is a whole series of very important and frightening pieces of information to put before the public yet about the Pilkey affair, I am convinced. We have not yet been able to get through the very heavy armament that has been stacked around the Premier's office and around the Correctional Services ministry by the people who do the daily work of repair for this tattered government.

I have never seen a government act more harshly to people who would criticize it than this government. Before I moved the adjournment of the debate, I started by saying that it is the way of these people now to prevent anybody from speaking out against them. They incriminate people who would raise a concern about their policies. That's

what happened in the infamous Martel affair where, of course, the minister of the day, the Minister of Northern Development and Mines, actually lied about a doctor in Sudbury who was resisting a public policy with respect to OHIP.

Now we have a whole series of other problems coming out. What happens? As soon as the questioning becomes very close to the Premier, he attacks the member for Renfrew North. He attacked yesterday the member for St George-St David. He attacked the member for Leeds-Grenville. We saw the Minister of Community and Social Services attacking the member for London North. We heard them rail and rant against each of the members of the opposition who had the nerve to ask whether or not there was some transgression of ministerial responsibility.

There are a whole series of other issues about which I think we could speak at length. We can't. We can speak only for 30 minutes, but I would say to you that the business of this House is not yet done. There is, for this session, yet more work to be completed and I choose, in an amendment to the motion by Mr Cooke which I am about to put, only two pieces of business which I think are important and should not be dispensed with prior to our adjournment.

The Acting Speaker: Mr Elston moves an amendment to Mr Cooke's motion of adjournment of the House, that in no case does the House adjourn until second reading of Bill 75, London-Middlesex annexation, and second reading of Bill 168, pay equity, is complete, and that on completion of second reading of these two bills the House stand adjourned until September 28, 1992.

Any further debate on Mr Elston's motion?

Mr Elston: I would just like to say, as I introduce this amendment to the motion, that this will test the government's resolve. This allows them to get those two bills, which they say they need, done before we rise. They're laughing because they know right well they don't care two hoots about London-Middlesex. They don't care two hoots about pay equity. What they care about is getting themselves out of here so they can escape the Pilkey affair and so they don't have to answer to the public. I want all the people in this place to vote for this amendment to that motion.

The Acting Speaker: Further debate on Mr Elston's motion.

Mr Ernie L. Eves (Parry Sound): I rise today to debate both the amendment to the motion and the motion. I think it's kind of ironic that a government that claimed it had 117 or 121 pieces of legislation it had to have passed now is introducing a motion without completing some fairly significant pieces of legislation it had in its agenda. It is now moving a motion to get out of here and return on September 28. That having been said—

Mr Larry O'Connor (Durham-York): You don't allow us to debate anything.

Mr Eves: I say to the honourable member who just interjected that this is hardly the time for any government member to be talking about limiting debate, in light of the time allocation motion we saw passed here yesterday. In

fact, I and other people have indicated in this place that it was not a time allocation motion at all. It was a closure motion described as a time allocation motion and I think, quite honestly, a very sad day for legislative debate in Ontario. Now, any time a government, when it wants to move a stage of a bill other than second reading, can simply, under the guise of a time allocation motion, say, "We're cutting off debate effective now; no further debate," as happened to my friend the member for Carleton, who'd only just started his remarks; he's not even given an opportunity to speak, and that eliminates debate on that particular stage of the bill. It is going to be a sad day indeed if that's the way the government is going to carry on and if that's the way time allocation motions under new standing order 44a are to be interpreted in the future.

1640

I think it's also significant that we have some very important pieces of legislation that by the government's own admission it wanted to get passed, that it wants to get on with and that it feels very strongly about that now will not even be debated until the fall. We have Bill 168, pay equity, and Bill 169, the companion bill, the public service bill. Those are both very important and significant pieces of legislation that the Premier and his government have indicated time and time again are fundamental to his government, and yet we see his House leader here today saying: "Oh, we don't care about those two bills. We just want to get out of here. We want to come back on September 28 now."

You have to stop and think about why the government is doing that. The worker ownership bill, the London annexation bill, the gaming services bill, pay equity, its companion bill the public service bill, automobile insurance, Bill 164—

Mr Allan K. McLean (Simcoe East): Sunday shopping.

Mr Eves: To say nothing of Sunday shopping, the Game and Fish Act, the Toronto Islands bill, the colleges collective bargaining bill; all of those very significant pieces of legislation are now in effect being put on hold, by the government that introduced them, so it can leave. There has to be a reason why any government would do that.

Hon Richard Allen (Minister of Colleges and Universities): July 22, that's the reason.

Mr Eves: The Minister of Colleges and Universities says July 22 is the reason. I realize it's into July.

Mr Scott: Allan Pilkey is the reason.

Mr Eves: However, I did think that some of these pieces of legislation were fairly significant and that the government would have wanted to deal with them before the House rose. The member for St George-St David has an interesting observation in that Allan Pilkey might be the reason. I don't think any objective observer can come to any other conclusion, quite frankly.

Up until today, we had a government that was bent on getting through all this legislation, and all of a sudden, in midstream, so to speak, with respect to Bill 150 and with respect to Bill 75, it is now saying: "Oh, we're willing to cut our losses and abandon all our legislation. We'll pick it

up again in the fall. We just want out of here so we can come back on September 28." That's basically what the motion that the government House leader introduced today says. It also says something about how badly the government wants out of this place and how badly it doesn't want to have to come back for question period every day, like the one we had today, for example.

Now that I have calmed down a little bit from what I was a few hours ago, I want to say to the Minister of Community and Social Services that I've occupied your portfolio in the past, for a much briefer period of time than you've occupied it, and you shouldn't assume that people on this side of the House don't care about those very significant issues. That is what I was complaining about or protesting about, perhaps not in the most appropriate fashion. But to be fair, I don't think your remarks were all that appropriate either. There are caring, compassionate people on this side of the House who believe very strongly in those issues, as I know you do.

However, the reality is that there are also some very serious problems with respect to this particular incident or incidents at Bell Cairn. The whole fundamental principle of responsible government, of parliamentary government, is that the minister is ultimately responsible for the actions that take place in his or her ministry. That's what separates our system of government, which is called responsible government, from a republican or presidential system of government, where the cabinet is appointed and they're not elected people. That's what the whole fundamental principle of this system is based on, whether the buck does stop on the minister's desk or not.

There have been some very unfortunate incidents or occasions in this House, where ministers of all political stripes, for whom I have the utmost respect, have had to step aside because of something that happened, even on some occasions without their knowledge, within their ministry. That's what the entire issue surrounding the Minister of Correctional Services is about: If he did not know, should he have known? If he should have known, why didn't he know?

Censuring a civil servant or a deputy minister or an assistant deputy minister or any one of a host of civil servants in any ministry and hanging that individual out to dry, so to speak, as the phrase has been used, or centring the whole focus of the thing on him or her may be appropriate to a certain extent but, ultimately, in a very serious matter the buck stops on the minister's desk, not the deputy minister's desk. It's the minister who has to assume that responsibility, not the deputy minister, and that is why we on this side of the House are a little concerned about that. It may very well be the fact that the minister did not know, but he should have known. There is no doubt he should have known. I don't think any reasonable person would argue that that is not the case, and that, I guess, is the crux of the whole matter.

Then when you get to the issue of the type of review, investigation, whatever terminology you want to place on it, it does test one's credulity that a judge is appointed by the very minister whose actions, in part, she has to look at in her review; that is not exactly an arm's-length, independent,

objective review. She's supposed to be looking at the entire incident: what went on in the ministry, how it occurred. That surely includes the minister and whether he knew or not, what actions he did or did not take etc. To say that that can't be done under some system where she has the authority and the power and the terms of reference to call witnesses, to make them testify under oath, where she has some real power to do something about it other than put a written report on somebody's desk—there's a very real difference there, and that's what we're upset about over here.

We're upset very much about the sexual harassment claims or charges or allegations. At this point, of course, that's what they are: allegations. If nothing else, I think this entire incident has helped to raise the awareness of all honourable members and, hopefully, the public as to what is going on out there. It's a very serious matter indeed and it has to be dealt with in a very positive fashion.

I know I've strayed a little bit, Mr Speaker, and I thank you for your indulgence. To get back to the matter at hand, which is the motion to get out of here on whatever day this motion is ultimately passed and return on September 28, it's kind of surprising that when you have the Premier saying that Sunday shopping will now come to a full debate and a free vote in the Legislature—I believe he made that statement several weeks ago. You have a significant piece of legislation such as that; you have automobile insurance.

If I remember correctly back to the summer of 1990, when the election campaign was on, automobile insurance was the issue, or certainly one of a few very big issues, on behalf of the governing party during that campaign. This issue and this legislation have been sitting around here for many months, and now to have the government House leader say, "Well, it's important to us, but it's so important that we'll put it off for another few months; then we'll just split and get out of here and come back on September 28," you have to ask yourself, why are they doing this?

The Toronto Islands bill: There's a bill that's been around for a while. It's been amended; it's been redrafted into another piece of legislation. It wouldn't take a great deal of time to debate that bill here, maybe a day, but they're not going to deal with that either.

For a government that's so committed to pay equity that it made that one of the fundamental principles of its platform to leave here without even debating that—and the amendment the member for Bruce has put forward deals with that significant piece of legislation—to say, "We want to leave without dealing with that very significant piece of legislation," I think says something about how badly the government wants out.

1650

I hate to go back to this, but I gave a speech here a few weeks ago about what the government in effect did when it had time to do a lot of these things. I know that in the banter back and forth in this place the government House leader has indicated—and several members of the government as well—"The opposition has prevented us from doing anything. They keep debating everything. We're not

getting anything done anyway, so we may as well leave and come back in the fall."

For the weeks from March 9 to about June 1, they really didn't do a whole heck of a lot. Why can't a bill be passed just as readily in April as it can in June or July? If these significant pieces of legislation were so important and so significant to this government, then why weren't they ready to go? Why weren't they brought forward then? Why weren't they introduced then? Why weren't they debated then? Why did we wait until the week of June 1 before we got really serious about doing much of anything?

To say now, "It's July 22 and we can't get any of our legislation through, because we didn't bother to draft any till June 1, we didn't bother to introduce any till June 1, and now we want out, because the political heat's too great every day in question period"—that's basically what this motion says.

People in London would like to know what's going to happen with respect to Bill 75, and whether you agree or don't agree with Bill 75, surely the people of London and area have the right to know what is going to happen with that very significant piece of legislation.

Mr McLean: I wanted to speak on it.

Mr Eves: My colleague the member for Simcoe East says he wanted to speak on it, and I'm sure a lot of other members do too, not just the members from the immediate London area. There are members who are concerned about the way the public utilities commission in that jurisdiction is being dealt with, the process of how it is being really dispensed with in that bill. That's a very significant issue that should be debated here and is a subject matter of the amendment placed forward by the member for Bruce here earlier this afternoon.

I also want to come back, Mr Speaker, to the time allocation motion we finally voted on late yesterday, because that is an issue that disturbs me greatly, as you probably have gathered from my remarks. At no time during the negotiations and discussions among the three House leaders did the government House leader even remotely indicate that he would use such a motion to totally stifle or cut off debate on a particular stage of a bill.

He indicated, as a matter of fact, that he would use it on only two or three very significant pieces of legislation in which there was a great deal of public interest, on which you would need public hearings. The way we thought rule 44a was drafted in whole says that it can be used only if there are three days of debate on second reading stage of the bill. He introduced it on Bill 150. There were only two days of second reading debate on that particular piece of legislation.

To come along under the guise of a time allocation motion and say that it is a time allocation motion despite the fact that it provides for absolutely no allocation of time, despite the fact that it's really just a guillotine motion that says: "Debate stops now. We don't care if you stop the member for Carleton in midsentence or in midspeech. We're cutting it off, we're having the vote, we're going to

vote now and that's it"—you can call that anything you want.

You can say that it's a time allocation motion under standing order 44a, but the reality is that it's a closure motion, pure and simple, and because the government knows full well that if it put forward a normal closure motion under standing order 45, it never would have got it through, because there hadn't been enough time, enough rounds of speakers, spent on third reading of Bill 150, and there would have been a problem for the government because it couldn't have got the bill.

In retrospect, they probably should have just proceeded with Bill 150 in its normal course and they would have had it by now. They would have had it a couple of days ago and it would have been done. But I think the government House leader overreacted. He overreacted and introduced a motion that really, if anything, just further provoked the opposition members of the Legislature, and it also very seriously, I think, impaired how the rules of debate in this place are going to work in the future.

I have already put on the record quite strongly my disagreement with the Speaker's ruling on this very important motion, because I think the Speaker's ruling on this very important motion has the effect of now being able to be translated—any time the government really wants to introduce a closure motion, all it does is call it a time allocation motion and it gets passed without any further debate. There's not even the safeguard that's there for the Speaker's discretion that there is under standing order 45.

I heard the government House leader indicate, I believe it was yesterday, during debate: "This is third reading of a bill. Normally there's not a great deal of debate on third reading of a bill." That's quite accurate. That's a quite accurate statement. However, what he didn't say was that this bill, Bill 150, has 51 sections to it. When it was in committee, there were 49 government amendments made to 51 sections of the bill, almost as many amendments as there are sections.

Surely if there are 49 amendments to a 51-section bill, the members of the Legislature might want to speak about that; they might want to comment on some of those 49 amendments. It was in clause-by-clause, I understand, for one day. How can you fully debate and talk about 49 amendments to a 51-section piece of legislation in one day? Members are trying to get their concerns and their comments on the record.

I know that within the labour union movement itself there's some serious opposition to Bill 150. There are some very seriously concerned people out there, and whether the government members appreciate it or not, it is the duty and the responsibility of opposition members to oppose something the public is concerned about, or a significant portion of the public is concerned about. To have debate cut off in midsentence, as it was on Bill 150, is simply not acceptable.

I said yesterday, and I say again today to the government House leader, I think he should seriously consider clarifying the entire atmosphere around the recent Chair's ruling on this time allocation motion and standing order 44a and what the effect of that standing order is and what

it means, because I can tell you that without that clarification and without that sort of cooperation and without that step being taken by the government House leader, this is going to be a very acrimonious place indeed, not just in the month of July but in the months of September, October, November, December etc. I think that is very important to parliamentary democracy in this chamber in the Legislative Assembly in the province of Ontario.

I can't really believe in my own mind that the government House leader negotiated this in bad faith. I don't want to believe that and I don't believe that. I do not believe that was ever the intent of the discussions and the negotiations, and I think the matter needs to be clarified.

It's going to be very interesting to see what the government members do with respect to Mr Elston's amendment, because Mr Elston's amendment says that in no case does the House adjourn until second reading of Bill 75, the London-Middlesex annexation bill, and second reading of Bill 168, the pay equity bill, are complete and that upon completion of second reading of these two bills the House will then stand adjourned until September 28, 1992.

1700

We're going to find out which government members are for or against dealing with the London-Middlesex annexation piece of legislation before we leave and we're going to find out, when the vote's taken on Mr Elston's amendment, which government members really want to deal with pay equity before they leave and which government members do not, because that's what Mr Elston's amendment is all about. I would suggest there are going to be some very uncomfortable members and ministers over there indeed when that vote is taken today or tomorrow.

What should have happened, in my opinion, is that the government House leader should have reconsidered his time allocation motion when he saw what a furore it had created. He should have taken about three giant steps backwards to look at the lay of the land and he should have merely permitted the debate on third reading of Bill 150 to go in the normal course of events. The worst thing that would have happened is that by Monday or Tuesday he could have invoked closure on the bill through standing order 45. We wouldn't have had any of this acrimony, we wouldn't have had any of this stir-up about the time allocation motion, we wouldn't have had the Speaker being placed in the unfortunate position of having to rule on a time allocation motion that really is a closure motion. We would have been done, we would have been out of here yesterday, with respect to Bill 150, and we could have been on to Bill 75 today and we could have debated it for two days and we could have accomplished the same thing the government wants to accomplish in a much less acrimonious fashion.

I don't know why the government thinks that every time it gets into a difficulty it has to change a rule or pass a motion or introduce closure or introduce time allocation to get the job done that it wants done. Why does the government approach the business of the House with that mentality?

Mr Charles Harnick (Willowdale): Because they're incompetent.

Mr Eves: I don't necessarily believe that. But whatever the rules of this place say, it really doesn't make any difference if the three parties do not cooperate. The rules can say whatever you want them to say, you can try to tighten them up as much as you want. I've been here, I've seen them changed many times over the last 11-plus years I've been here and it really doesn't make any difference what they say because there will always be a way to wiggle around one rule or another and the only way this place works is if the three parties can work in some sort of cooperation and concert.

It means not only the opposition parties giving something up; it means sometimes the government has to compromise. I don't think that this government—and I realize it's a majority government and I was part of a majority government and I know the member for Bruce was part of a majority government—

Mr Peter Kormos (Welland-Thorold): I used to be part of it.

Mr Stockwell: I think you had a cup of coffee, didn't you?

Mr Eves: The member for Welland-Thorold said he used to be part of a majority government too, for a few weeks he believes, then he went out for a cup of coffee and, lo and behold, his name wasn't on the door any more when he came back.

Mr Stockwell: But he had a good picture of himself.

Mr Eves: It was a nice picture of him.

But seriously, the only way this place works is if the government compromises and gives, and all majority governments have to compromise or give. It seems as if this government hasn't learned that yet. It still thinks that because it has 74 or 75 members it can pass anything it wants and should be able to pass it on the nod in a skinny minute because it has that many members.

I think it's also important to remember in this process that in the system we operate under, the three-party system, it's very seldom that any one party ever has the support of the majority of the voting public in the province of Ontario—in other words, more than 50%. That's pretty difficult to do even in an individual constituency in many cases, but certainly very difficult to do on a province-wide basis. You have to always remember that you didn't have the support, no matter how many seats you have. You had the support of approximately 37% of the population of the people of Ontario. That means some 63% voted against you.

We were in that position, I can remember, in 1981. I believe we got about 40% or 41% of the vote. That still means 60% or 59% of the people don't want you there. When the Liberals were in power it was the same thing. So I think you'd do well to remember that when you're chortling some time about the number of members you have.

Mr Len Wood (Cochrane North): That's always been in a three-party system.

Mr Eves: I said that, it has always been in the three-party system, but what you don't seem to have grasped is that you have to give and compromise on some things. You can't always have everything your own way. When you don't get something you think you should have, don't be too petulant about it, don't be too autocratic about it and don't be too dictatorial about it. Try to approach it with a sense of spirit of generosity and compromise and you might find you get a lot more things done than you're getting done this way. Just some free advice for the government House leader.

Mr Sorbara: They haven't been here to listen for about six months.

Mr Eves: They're not here to listen, but I'm sure they will have Hansard and I'm sure they will have access to it.

I would like to say, before I conclude my remarks, that I think Mr Elston has put forward a pretty appropriate amendment to the motion moved by the government House leader here today. It's a responsible amendment. It calls for dealing with two very significant pieces of legislation before the House adjourns. It probably doesn't deal with as many pieces of legislation as we would like to deal with. However, it does accomplish that and I think we will be supporting his responsible amendment. I think the government members are going to be placed in a very difficult position indeed if they vote against this amendment, which really will be voting against dealing with these two significant pieces of legislation before the House rises.

Having said that, I would like to move adjournment of this debate.

The Deputy Speaker (Mr Gilles E. Morin): Your motion is out of order. It was already a motion.

Mr Eves: Excuse me, Mr Speaker. I would like to know why my motion is out of order, seeing that the member for Bruce has moved an amendment which is a piece of intervening business I have spoken to, along with the motion. I'd like to know why my motion to adjourn the debate on Mr Elston's amendment is out of order.

The Deputy Speaker: The member for Parry Sound has moved the adjournment of the debate.

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The House divided on Mr Eves's motion, which was negated on the following vote:

Ayes 31; nays 63.

The Deputy Speaker: Further debate?

Mr Kimble Sutherland (Oxford): It's a pleasure to rise and speak on this. I only wish we were doing this about a month ago. I think all of us kind of wish that.

I am a new member, as people know, elected in 1990. I came here in 1990 as, I guess, maybe somewhat of what you would call a naïve young member in some respects, in terms of the fact that I came here to debate specific legislation.

Interjections.

The Deputy Speaker: Those who wish to leave the House may do so now.

Mr Sutherland: Thank you, Mr Speaker.

Mr Elston: Mr Speaker, when the same interruptions were occurring in my speech, time was rolled back to 30 minutes. I appreciated that on my part. I would expect that we would show the same courtesy to the member for Oxford, but I think it should be done at a time when the people have removed themselves from the House if they wish to go and when the conversations are finished. In any event, I would ask unanimous consent to have the clock back to 30 minutes.

The Deputy Speaker: Do we have unanimous consent? No. The member for Oxford.

Mr Sutherland: I appreciate the very kind gesture from the member for Huron.

Interjections.

The Deputy Speaker: Order. Please show a little respect for the member for Oxford.

Mr Sutherland: My apologies; I appreciate the kind gesture from the member for Bruce. The member for Huron is a kind soul as well.

As I was saying, when I came here and was elected, the idea was to be able to represent constituents, to be able to look after their needs, to try to solve problems for them and to debate specific legislation.

Interjections.

The Deputy Speaker: Order. Those who wish to leave the House or hold conversations elsewhere, please do so now. The member for Oxford, you have the floor.

Mr Sutherland: I came here to debate legislation and to be able to represent the constituents. With my background on student council, I was familiar with debating sessions. Meetings sometimes could get a little bit acrimonious, sometimes a little loud, and of course with disruptions and interruptions. May I say, though, that from my experience in terms of study of political science and my observations, I thought this place would be a little different. When you read in history about the many agorean debates and fine speeches, in effect, it should be.

I don't know whether it's the water, the air or whatever it is or just our basic physical setup that makes it a very adversarial place. It certainly is not the place I thought it would be. I don't say that in a disrespectful tone or to say that I am innocent.

Interjections.

The Deputy Speaker: Please. There are too many discussions going on.

Mr Sutherland: As I was saying, I don't say that in a disrespectful tone or in a very righteous tone because, Mr Speaker, as you are aware, I have been caught up in some of the atmosphere that is created in here in terms of heckling and interruptions that you wouldn't necessarily expect to see in a place where there is supposed to be esteemed debate about important pieces of legislation.

However, it does seem to me that I thought we'd spend a great deal of our time, most of our time debating actual pieces of legislation. From my experience, unfortunately, it seems that we don't always spend the time talking about the actual legislation being debated. If we had, then I suggest we'd have been able to get through most of the legis-

lation that was put forward and still have been out of here by our normal time, the end of June.

Yesterday, in talking about Bill 150, I mentioned one example, about the member for Ottawa West, who on third reading about a gas tax bill went on for at least an hour and a half, maybe two hours, talking about gas prices in his area in Ottawa and how they'd been fluctuating. An important issue? Yes, no doubt about that, but certainly, on third reading of a gas tax bill, not the most relevant issue to be talking about. I say there are many examples of times when we as members need to be more succinct and get to the point. We can do it.

I understand when opposition members point out, "Remember when you were in opposition." I understand there's a lot of history to this place. I understand that some of my colleagues maybe, when they were in opposition, weren't what I'd call the most innocent people in terms of some of their antics as well in here. But it seems to me that somehow all of us have got to learn to put some of the bad things of the past behind us and move forward. How we move forward is a responsibility of all of us in terms of our conduct and how we act here in the House.

We also have had some discussion today in this debate about Bill 150. The member for Parry Sound mentioned again about 51 amendments on Bill 150 in the committee. Again, I want to reiterate that there was no specific time allocation put on any of the debate in committee on Bill 150, that most of those amendments were not what you'd call substantive ones but mainly wording changes to different sections as a result of some of the substantive amendments, that we had lengthy debate on Bill 150 at the committee stage and that we had hearings. The members of the opposition, if you go and check the Hansard, had more than adequate time. They raised several points that they were concerned about on many occasions, and repeated some of them. The member for Scarborough-Agincourt got up here in that debate and repeated them.

We do have enough time, if we all focus ourselves, to get through pieces of legislation. Unfortunately, as I said earlier, we spend a lot more time on procedural issues and other issues. I think we all need to go back and look at how we focus our time. A couple of the debates that we had under the new rules, where we had time limits on the speeches members made, I found most interesting. Certainly it seemed like people were being more succinct. They were getting to the point. They were debating the pieces of legislation. We all have to work under the time constraints. Some bills, if we spend more time debating here, don't go to committee. Other pieces of legislation, if we don't spend as much time here, go to committee and out to public hearings.

Here we are on July 23 still sitting here. We have gotten through some pieces of legislation. We've gotten some out for second reading. Some are going to the committee stage for public hearings, for the people who elect us to make their points known on the issues, and then come back for third reading and clause-by-clause debate. We have spent a lot of time trying to move forward, trying to deal with pieces of legislation.

The opposition, as it feels is its right, has on some occasions decided it wants to debate issues and has on other occasions decided it doesn't want to debate issues. I call only one example to mind and that was a comment the member for Oakville South made in question period regarding Bill 40, not stating that we need to have all our time to debate it, but quite frankly that he was going to do everything possible to stop the legislation from passing. I think that point needs to be brought out in this motion to adjourn.

1750

There's a difference between having time and putting forward your disagreements and your criticisms. That's what this place is about. That's a very valid process. I encourage all members to do that here and outside the House, as every member has the democratic right of freedom of speech outside this chamber as well.

But we are here in July. I am somewhat surprised in some respects that we haven't had about 300 to 400 people all of us would be familiar with, mainly our family members, outside the chamber protesting that we should all be getting home so we can spend some more time with them. I think all of us realize the strains that are put on us in this job.

But we have tried to deal with legislation. For whatever reasons, some people felt that it's more important to talk about procedural issues than get on and debate, and I think we could have got through much more legislation. I'm not happy about the fact that we didn't; I don't think any of us are. But I think we could have got through a lot more of it if we had all wanted to focus on debating legislation, which is what we're elected for, rather than some of the showy, gamesy type of things that do go on here. Again I don't say that in a tone to say that we're innocent, I'm innocent. We all tend to do that somewhat, and that is unfortunate.

The point is that we need to focus in on debating actual legislation. If we could do that, we could get through it all. We could have been out of here by the end of June, and the public would still have its time to comment on stuff at committee stage. Ultimately, they'll make their judgments as they feel accordingly anyway.

I will end my remarks on that by saying that I think it is important that we do decide to adjourn the House until September 28 so all of us can continue to get on with the other things we have to do as members, the public will have some opportunity, and of course maybe, just maybe, somewhere in there we'll be able to fit a little bit of time for our family members.

The Deputy Speaker: Further debate? The member for Halton Centre.

Mrs Barbara Sullivan (Halton Centre): Thank you, Mr Speaker.

Mr James J. Bradley (St Catharines): Has the OPP been to your office this week?

Mrs Sullivan: The OPP have been to my offices on occasion at the direction of the government, but I want to address the question of why this motion and why at this time.

There's only one answer to that, and that is Allan Pilkey. The minister is known to be uninformed and lazy with respect to his ministerial responsibilities. The minister is known to appreciate the ribbon cuttings, the official openings, more than the work of being informed on a daily basis of the work, the problems, the current issues and the policy choices of his ministry, and the minister is one who carries neither the respect nor the confidence of his ministry officials. That's why this motion to adjourn, presented by the House leader, is before the House today.

I recall a similar motion when my colleague the member for Kenora asked in an earlier debate a question about constituency office staff involvement in the garnering of support for the Minister of Northern Affairs in the Martel affair, and the House adjourned very quickly after that incident. Now we have the Pilkey affair, and the word has again come to the government House leader: "Get us out of here. Don't let the opposition have one more day at him, at the Premier, at the Attorney General or at anyone else who is connected with the Pilkey affair."

That response doesn't stand up. With every word of his response in question period the minister has been shown to be incompetent, and there's a pattern in that train of incompetence that Bob Rae thinks ought not to be allowed to be seen by the people. Frankly, we believe that incompetence is so clear, and particularly with that minister, that it is the only reason this motion has been put forward.

I'd like to review, as we look at this motion, the pattern of this government of dealing with the House, the pattern of cutting off debates, of introducing rule changes, of not taking responsibility for actions at the ministerial level, the pattern of running from debate, as was clear when the House adjourned when my colleague the member for Kenora raised the issue of the Attorney General's staff in the House.

This government does not want Allan Pilkey to face one more day, let alone one more week, two more weeks or three more weeks of question period in this House. They do not want him to take responsibility for his actions and for his incompetence and his irresponsibility as a minister in a very sensitive issue.

The other part of the pattern of dealing with the House is not informing the Legislature and the people of Ontario about the issues of the day about which, as the standing orders say, the ministers should inform the House. We've seen so many instances where ministers don't make statements in the House, where the ministerial statement period, 20 minutes daily while the House is in session, is unused or only partially used.

Today I raised in the House the question of the delisting of more than 100 drugs from the Ontario drug benefit plan. Shortly we will see the delisting of a number of OHIP procedures that will not be brought before this House where members of the House have a legitimate opportunity to discuss and to debate and to bring to the attention of the floor of this chamber the concerns and the issues associated with what is clearly and only the dismantling of the medicare system in Ontario.

That's what this government is doing, and it's doing it behind the scenes. The communication strategies that it's

designing are deliberately set out to ensure that the House is not informed of major changes that are being undertaken by this government and therefore that the people of Ontario are not informed of those major changes.

Mr Speaker, I ask you what opportunity, for example, the government has provided to recipients of social assistance who will no longer have accessibility to vitamins for their children through the Ontario drug benefit plan, to certain cough suppressants when the choice for the practitioner is to move children perhaps on to a narcotic product rather than the products that are listed now. There has been no information received by social assistance groups, no information received by senior citizens, and that is a deliberate plan of this government. The announcements will not be made until the House is no longer in session.

I recall a must-have list the government House leader placed before us with great fanfare. There were 60-some pieces of legislation on that list: Sunday shopping was one of them; Bill 162, An Act to amend the Game and Fish Act was one of them; Bill 75, the London-Middlesex act was

one of them; the Labour Relations Act was one of them, and of course we know where that is. Closure brought it in.

Pay equity was one of those on the must-have list. Pay equity was promised in the throne speech in 1990 by this government. The first reading of the pay equity bill was brought to this House in December 1991. The government House leader has not yet called that bill for second reading. This is a significant piece of legislation, an important issue for the people of Ontario, one on which legitimate and appropriate debate should be held, and the government House leader has not acted. Seven months later that bill has not been called.

We see intransigence, we see a stubborn insistence on the arbitrary use of power, we see an abuse of legislative process and, when disagreements occur, we see a government which simply closes off debate.

The Deputy Speaker: Being 6 of the clock, this House stands adjourned until 10 of the clock tomorrow morning.

The House adjourned at 1800.

**LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor/Lieutenant-gouverneur: Lt Col The Hon/L'hon Henry N. R. Jackman CM, KStJ, BA, LLB, LLD

Speaker/Président: Hon/L'hon David Warner

Clerk/Greffier: Claude L. DesRosiers

Clerk Assistant and Clerk of Committees/Greffier adjoint et Greffier des comités: Smirle Forsyth

Clerk Assistant and Clerk of Journals/Greffier adjoint et Greffier des journaux: Alex D. McFedries

Sergeant at Arms/Sergent d'armes: Thomas Stelling

| Constituency | Name of member | Party | Other responsibilities |
|-----------------------|---------------------------|-------|--|
| Algoma | Wildman, Hon/L'hon Bud | ND | Minister of Natural Resources, minister responsible for native affairs/ministre des Richesses naturelles, ministre délégué aux Affaires autochtones |
| Algoma-Manitoulin | Brown, Michael A. | L | Chair, standing committee on general government/ Président du Comité permanent des affaires gouvernementales |
| Beaches-Woodbine | Lankin, Hon/L'hon Frances | ND | Minister of Health, minister responsible for substance abuse strategy/ministre de la Santé, ministre responsable de la Stratégie de prévention de la toxicomanie |
| Brampton North/-Nord | McClelland, Carman | L | Vice-Chair, standing committee on general government/ Vice-Président du Comité permanent des affaires gouvernementales |
| Brampton South/-Sud | Callahan, Robert V. | L | |
| Brant-Haldimand | Eddy, Ron | L | |
| Brantford | Ward, Brad | ND | parliamentary assistant to Minister of Industry, Trade and Technology, responsible for trade and technology/ adjoint parlementaire du ministre de l'Industrie, du Commerce et de la Technologie et délégué au Commerce et à la Technologie |
| Bruce | Elston, Murray J. | L | opposition House leader/ chef parlementaire de l'opposition |
| Burlington South/-Sud | Jackson, Cameron | PC | Chair, standing committee on estimates/ Président du Comité permanent des budgets des dépenses |
| Cambridge | Farnan, Mike | ND | Vice-Chair, standing committee on the Legislative Assembly/ Vice-Président du Comité permanent de l'Assemblée législative |
| Carleton | Sterling, Norman W. | PC | |
| Carleton East/-Est | Morin, Gilles E. | L | Deputy Speaker and Chair of the Committee of the Whole House/ Vice-Président et Président du Comité plénier de l'Assemblée législative |
| Chatham-Kent | Hope, Randy R. | ND | parliamentary assistant to Minister of Community and Social Services/adjoint parlementaire du ministre des Services sociaux et communautaires |
| Cochrane North/-Nord | Wood, Len | ND | parliamentary assistant to Minister of Natural Resources/ adjoint parlementaire du ministre des Richesses naturelles |
| Cochrane South/-Sud | Bisson, Gilles | ND | parliamentary assistant to Minister of Northern Development and Mines, parliamentary assistant to minister responsible for francophone affairs/adjoint parlementaire de la ministre du Développement du Nord et des Mines, adjoint parlementaire du ministre délégué aux Affaires francophones |
| Cornwall | Cleary, John C. | L | |
| Don Mills | Ward, Margery | ND | parliamentary assistant to Minister of Government Services/ adjointe parlementaire du ministre des Services gouvernementaux |
| Dovercourt | Silipo, Hon/L'hon Tony | ND | Chairman of Management Board of Cabinet, Minister of Education/président du Conseil de gestion du gouvernement, ministre de l'Éducation |
| Downsview | Perruzza, Anthony | ND | parliamentary assistant to Minister for Skills Development/ adjoint parlementaire du ministre de la Formation professionnelle |
| Dufferin-Peel | Tilson, David | PC | |
| Durham Centre/-Centre | White, Drummond | ND | Chair, standing committee on regulations and private bills/ Président du Comité permanent des règlements et des projets de loi privés |
| Durham East/-Est | Mills, Gord | ND | parliamentary assistant to Minister of Municipal Affairs/ adjoint parlementaire du ministre des Affaires municipales |
| Durham West/-Ouest | Wiseman, Jim | ND | parliamentary assistant to Minister of Correctional Services/ adjoint parlementaire du ministre des Services correctionnels |
| Durham-York | O'Connor, Lawrence | ND | parliamentary assistant to minister responsible for the greater Toronto area/adjoint parlementaire de la ministre responsable du Bureau de la région du grand Toronto |
| Eglinton | Poole, Dianne | L | |
| Elgin | North, Hon/L'hon Peter | ND | Minister of Tourism and Recreation/ ministre du Tourisme et des Loisirs |
| Essex-Kent | Hayes, Pat | ND | parliamentary assistant to Minister of Agriculture and Food (agriculture)/adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation (agriculture) |

| Constituency | Name of member | Party | Other responsibilities |
|---|----------------------------------|-------|--|
| Essex South/-Sud | Mancini, Remo | L | Chair, standing committee on public accounts/ Président du Comité permanent des comptes publics |
| Etobicoke-Lakeshore | Grier, Hon/L'hon Ruth A. | ND | Minister of the Environment, minister responsible for the greater Toronto area/ministre de l'Environnement, ministre responsable du Bureau de la région du grand Toronto |
| Etobicoke-Humber | Henderson, D. James | L | |
| Etobicoke-Rexdale | Philip, Hon/L'hon Ed | ND | Minister of Industry, Trade and Technology/ ministre de l'Industrie, du Commerce et de la Technologie |
| Etobicoke West/-Ouest | Stockwell, Chris | PC | |
| Fort William | McLeod, Lyn | L | Leader of the Opposition/chef de l'opposition |
| Fort York | Marchese, Rosario | ND | parliamentary assistant to the Premier, parliamentary assistant to Minister of Intergovernmental Affairs/adjoint parlementaire du premier ministre, adjoint parlementaire du ministre des Affaires intergouvernementales |
| Frontenac-Addington | Wilson, Hon/L'hon Fred | ND | Minister of Government Services/ ministre des Services gouvernementaux |
| Grey | Murdoch, Bill | PC | |
| Guelph | Fletcher, Derek | ND | parliamentary assistant to Minister of Consumer and Commercial Relations/adjoint parlementaire de la ministre de la Consommation et du Commerce |
| Halton Centre/-Centre | Sullivan, Barbara | L | |
| Halton North/-Nord | Duignan, Noel | ND | Chair, standing committee on the Legislative Assembly/ Président du Comité permanent de l'Assemblée législative |
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| Hamilton Mountain | Charlton, Hon/L'hon Brian | ND | Minister of Financial Institutions, acting Minister of Energy/ ministre des Institutions financières, ministre de l'Énergie par intérim |
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| Huron | Klopp, Paul | ND | parliamentary assistant to Minister of Agriculture and Food (food)/ adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation (alimentation) |
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| Constituency | Name of member | Party | Other responsibilities |
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| Mississauga North/-Nord | Offer, Steven | L | |
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| Ottawa-Rideau | O'Neill, Yvonne | L | |
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| Ottawa West/-Ouest | Chiarelli, Robert | L | |
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| Parkdale | Ruprecht, Tony | L | |
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| Perth | Haslam, Hon/L'hon Karen | ND | Minister of Culture and Communications/ ministre de la Culture et des Communications |
| Peterborough | Carter, Jenny | ND | parliamentary assistant to Minister of Citizenship, responsible for human rights, disability issues, seniors' issues and race relations/ adjointe parlementaire de la ministre des Affaires civiles, déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales |
| Port Arthur | Wark-Martyn, Hon/L'hon Shelley | ND | Minister of Revenue/ministre du Revenu |
| Prescott and Russell/ Prescott et Russell | Poirier, Jean | L | |
| Prince Edward-Lennox-South Hastings/ Prince-Edward- Lennox-Hastings-Sud | Johnson, Paul R. | ND | parliamentary assistant to Minister of Revenue/ adjoint parlementaire de la ministre du Revenu |
| Quinte | O'Neil, Hugh P. | L | |
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| Renfrew North/-Nord | Conway, Sean G. | L | Deputy Leader of the Opposition/chef adjoint de l'opposition |
| Riverdale | Churley, Hon/L'hon Marilyn | ND | Minister of Consumer and Commercial Relations/ ministre de la Consommation et du Commerce |
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| St Andrew-St Patrick | Akande, Zanana | ND | parliamentary assistant to the Premier |
| St Catharines | Bradley, James J. | L | |

| Constituency | Name of member | Party | Other responsibilities |
|--|----------------------------------|---------|--|
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| St. George-St. David Sarnia | Scott, Ian G. Huget, Bob | L ND | parliamentary assistant to acting Minister of Energy; Vice-Chair, standing committee on resources development/ adjoint parlementaire du ministre de l'Énergie par intérim, Vice-Président du Comité permanent du développement des ressources |
| Sault Ste Marie/ Sault-Sainte-Marie | Martin, Tony | ND | parliamentary assistant to Minister of Education/ adjoint parlementaire du ministre de l'Éducation |
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| Scarborough Centre/-Centre | Owens, Stephen | ND | parliamentary assistant to Minister of Financial Institutions/ adjoint parlementaire du ministre des Institutions financières |
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| Scarborough North/-Nord | Curling, Alvin | L | opposition deputy whip/whip adjoint de l'opposition |
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| Simcoe Centre/-Centre | Wessenger, Paul | ND | parliamentary assistant to Minister of Health/ adjoint parlementaire de la ministre de la Santé |
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| Sudbury | Murdock, Sharon | ND | parliamentary assistant to Minister of Labour/ adjointe parlementaire du ministre du Travail |
| Sudbury East/-Est | Martel, Hon/L'hon Shelley | ND | Minister of Northern Development and Mines/ ministre du Développement du Nord et des Mines |
| Timiskaming | Ramsay, David | L | |
| Victoria-Haliburton | Drainville, Dennis | ND | First Deputy Chair of the Committee of the Whole House/ Premier Vice-Président du Comité plénier de l'Assemblée législative |
| Waterloo North/-Nord | Witmer, Elizabeth | PC | |
| Welland-Thorold | Kormos, Peter | ND | Chair, standing committee on resources development/ Président du Comité permanent du développement des ressources |
| Wellington | Arnott, Ted | PC | |
| Wentworth East/-Est | Morrow, Mark | ND | Chair, standing committee on the Ombudsman; Vice-Chair, standing committee on administration of justice/ Président du Comité permanent de l'ombudsman, Vice-Président du Comité permanent de l'administration de la justice |
| Wentworth North/-Nord | Abel, Donald | ND | government whip/whip du gouvernement |
| Willowdale | Harnick, Charles | PC | |
| Wilson Heights | Kwinter, Monte | L | |
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| Windsor-Sandwich | Dadamo, George | ND | parliamentary assistant to Minister of Transportation/ adjoint parlementaire du ministre des Transports |
| Windsor-Walkerville | Lessard, Wayne | ND | parliamentary assistant to Minister of Colleges and Universities/ adjoint parlementaire du ministre des Collèges et Universités |
| York Centre/-Centre | Sorbara, Gregory S. | L | |
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| York North/-Nord | Beer, Charles | L | Chair, standing committee on social development/ Président du Comité permanent des affaires sociales |
| York South/-Sud | Rae, Hon/L'hon Bob | ND | Premier, President of the Executive Council, Minister of Intergovernmental Affairs/premier ministre, président du Conseil des ministres, ministre des Affaires gouvernementales |
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Second Session, 35th Parliament

Assemblée législative de l'Ontario

Deuxième session, 35^e législature

Official Report of Debates (Hansard)

Thursday 23 July 1992

Journal des débats (Hansard)

Jeudi 23 juillet 1992



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 23 July 1992

The House met at 1001.

Prayers.

ORDERS OF THE DAY

PRIVATE MEMBERS' PUBLIC BUSINESS

SENATE OF CANADA

Mr Sterling moved resolution 22:

That, in the opinion of this House, the Senate of Canada should be abolished.

The Deputy Speaker (Mr Gilles E. Morin): Pursuant to standing order 94(c)(i), the honourable member has 10 minutes for his presentation.

Mr Norman W. Sterling (Carleton): Yesterday I gave a brief statement prior to question period about my decision to try to talk a little bit about the Senate at this time during our constitutional discussions.

It's my feeling that when our constitutional committee was convened some year or year and a half ago now, the primary focus of the members of that committee and most of our thinking during those deliberations was in relation to inviting Quebec into the constitutional package, which it has really never accepted; it has never signed the Constitution Act, 1982.

Since that time, a lot of events have taken place and focus has come on two additional issues: one, the aboriginal inherent right to self-government, and the other, the Senate. I decided that today I would like to give members an opportunity to express some of their opinions with regard to the Senate.

I have had the privilege of being involved with the constitutional discussions, sitting behind or near the Premier during some of the private discussions which have taken place over the last four or five months. The experience has perhaps been very enlightening to me and I want to thank the Premier for inviting both the Liberal Party and the Conservative Party to participate in those discussions.

Our present Senate has 104 senators plus, I believe, an additional 10 appointments, so there are about 114 senators in our federal Senate. One of the first reactions I had to the discussions, and particularly to Alberta's thrust that we should have a triple E Senate, was my lack of understanding as to what the Senate of Canada should really do, what its function was, what it should be involved in in governing Canada. I find myself back to that very initial reaction at this time. That initial reaction was probably evoked or came to me some three or four years ago.

One of the parts of the proposal we have in front of us, as negotiated by the nine first ministers of our provinces and the federal government, is that we have a Senate with eight senators from each province and two from each territory, making up a total of 84 senators. If we have a new territory, which is expected in the next two or three years, I assume it would gain another two seats and that would be 86 senators. Then there is some talk about aboriginal representation as well and

we don't know how many seats that would flesh out in the final analysis.

When I was at the last constitutional discussions with the Premier during that Tuesday afternoon when things started to come together with regard to the present proposal with the triple E Senate, I sat down with my trusted calculator, perhaps as an engineer might when he's trying to calculate the meaning of what is going on, and I drew up a schedule of what would be required to meet the various thresholds for the Senate to reject the initiatives of the House of Commons.

In order to reach the threshold of getting 42 votes or 50% of the votes in the Senate of Canada or the proposed Senate of Canada, it would require representatives of 12.5% of the population of Canada. In order to meet the threshold of 60% of the votes in the Senate of Canada or the proposed Senate of Canada, you would have to have representatives of about 16% of the people. To get 70%, which is the magic figure in the proposal at this time, you need only to get the representatives of 25% of the population of Canada in order to turn back virtually any kind of legislation, save a supply bill, in the federal Senate.

I had some concern with regard to the very sparse populations we have in Canada and how they would be properly represented in a triple E Senate. I think it's fair to say that the Premier has had concerns about that, that my leader, Mr Harris, has had concerns about it and that many people in Canada have concerns about it.

The other part of the proposal which bothers me perhaps more than the numbers, than the assumption I make in my previous adding up and calculating out what would be required in order to deal with House of Commons legislation, is the very negative aspect of this chamber. It appears to me that the only function of the Senate of Canada as envisaged by the first ministers at these meetings—and this was prevalent in the attitude I saw around the room and which you were not privy to, the major concern of the ministers around that room—was to block the House of Commons and the will it might have with regard to legislation and with regard to policy.

I believe, and I think members believe, particularly at this time in our own history here, that perhaps there's enough opportunity for opposition, be it the media, be it the official opposition or be it the third party, with regard to initiatives a government might want to take and put into effect. So my concern overall is with the attitude with regard to the genesis of this new proposal for the Senate of Canada; it is that the provinces, as represented by their premiers in general, want another check on our federal House of Commons.

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Quite frankly, Mr Speaker, whether it's the party I support or it's the party you support or the New Democratic Party, there have to be limits and there has to be some opportunity for the government of Canada to govern,

regardless of the fact that you may or may not agree with the policy it is putting forward.

I think the attitude exhibited around the table by the various delegations—I want to exclude the Premier from this because I don't think that was Ontario's attitude, and of course it's definitely not my attitude with regard to this proposal—was exemplified by the fact that when we elect the senators, it was only through the insistence of Mr Clark, and it was only through the insistence of Mr Rae, Mr Cameron and Mr McKenna, that there were to be concurrent elections. The concern of Mr Clark or any federal politician who was in the House of Commons or was a member of cabinet was that if you had separate elections and the election came in the middle of a federal term in the House of Commons, it would naturally turn into an anti-government election, and in most cases you would have a Senate hostile to the House of Commons, members from different parties as per the House of Commons.

I think the other very salient point to remember in terms of the motivation with regard to the proposal we now have before us in these Senate negotiations is that the premiers insisted on and were successful in preventing a senator from becoming a member of the federal cabinet. That particular attitude tells me they don't want the Senate to be part of a constructive government governing the people of Canada, and therefore I think we would be better off abolishing the Senate than accepting the proposal we have before us.

Mr Rosario Marchese (Fort York): I too have had the privilege of being involved in those multilateral discussions, and it's from that experience that I rise today to speak against this motion, which while I have some sympathies with it, I believe is a counterproductive motion.

I should point out that the Premier of Ontario has clearly indicated many times in many different forums that we preferred to abolish the existing Senate. That was the position of the Premier. It was indeed my position and the position of many of the members within our government and within our own party. That is true.

However, while the constitutional agreement reached on July 7 by multilateral representatives is not perfect, I strongly believe that it provides a firm basis for negotiating a renewed Canada. To simply delete an item from the agreement, in my view, is risky, dangerous and counterproductive.

Ontario went into these negotiations with four main goals: preserving national unity, creating a stronger economic union, entrenching a social charter and recognizing the inherent right of self-government for aboriginal peoples. All four of these goals were addressed by the proposed package.

As Ontario's priorities have been addressed, so must the priorities of other regions of Canada. For maritime and western provinces, the Senate is viewed as an important tool, if reformed, in providing a greater voice for regions in the federal government.

We say that in protecting the interests of Ontario, we must also acknowledge the interests of our other partners in Confederation. For them, Senate reform is, was and will continue to be important. In my view, Ontario responded constructively by agreeing to Senate reforms which clearly

define and limit the powers of the new Senate in order to avoid the dangers of legislative deadlock.

Ontario agrees that a reformed Senate should be elected by the people of Canada. In my view, this new Senate would be radically different from the way senators are appointed at this time. The multilateral agreement, if ratified, will put an end to the system of patronage Senate appointments which caused so many of us to call for the elimination or abolition of such an institution. The proposed Senate will, for the first time, be directly accountable to the people of Canada. In my view, that is something the people of Canada will agree with.

Ontario does not support a reformed Senate which would thwart the authority of the House of Commons. Therefore, the proposed agreement recommends that the Senate only be able to block legislation with a simple majority vote on matters of taxation directly related to natural resources, which may be of interest to this province as indeed to many other provinces. Should 60% of the senators vote against a proposed bill, the legislation will be brought before a joint sitting of the Senate and the House of Commons. In these instances, the principle of an equitable chamber will come into force.

The House of Commons will also be reformed under the terms of the agreement to better reflect the principle of representation by population upon which the chamber is based. Ontario will gain 10 more seats in the reformed House of Commons to reflect its population growth. Ontario's interests therefore, in my view, will be well represented if the Senate and House of Commons are required to sit jointly. The 10 additional seats Ontario would have would play an important role in those joint sittings. The joint sitting requirement also places an onus on the two chambers to jointly resolve matters which they could not resolve separately. This is a positive mechanism.

To fully block legislation, 70% of the elected senators must vote in opposition to the legislation. If such a majority were obtained, bills related to supply and budgets could only be delayed for 30 days, not defeated. I am confident these reforms will not result in legislative deadlock.

In giving a greater voice to the regions of Canada, we are doing a great deal to address the sense of regional alienation and dissatisfaction within our federal system. We must do this if we are to build a truly renewed Canadian federation. A reformed Senate that is democratically elected by the people of Canada will be an important feature of a renewed Canada.

We have all had to make compromises to reach an agreement which I believe is the basis for negotiating a new Constitution. In agreeing to Senate reform, Ontario has not compromised its interests. The rules and limitations placed on the proposed Senate will help to ensure that a Senate with equal representation cannot thwart the will of the majority of Canadians.

In conclusion, I reiterate my government's position that a first ministers' conference must be called by the Prime Minister as soon as possible, with Quebec returning to the table, so that the historic agreement reached on July 7 can be discussed. In such a process, we fully expect there to be changes to the package, but we have agreed with the

proposals contained in this package and we support them as a starting point for further negotiation.

We do not advocate, as the member for Carleton does, that we should eliminate an element of the package which is integral to its acceptance in many regions of Canada. To do this would, in my mind, set the constitutional agenda back considerably.

We've made great gains during this process, not just for Ontario, but for all regions of Canada. The reformed Senate proposed in the July 7 agreement is acceptable to the government of Ontario, and I am confident that this agreement has laid the foundation for a renewed Canada.

1020

Mr Robert V. Callahan (Brampton South): I rise this morning but before I speak on it, I should indicate that I spent the evening thinking about what I would say about pennies and when I get into the House I find that the honourable member Mr Sterling, who is a sterling fellow, is not prepared to speak about sterling or pennies, that we're speaking about the abolition of the Senate.

I have to tell you, Mr Speaker, my rest was interrupted a bit by thinking to myself, if you got rid of pennies, it would round everything to nickels and in fact if you rounded everything to nickels, it means the price would go up. Let's say the government of Canada decided to increase the price of a stamp from 42 cents to 43 cents. Of course, it would have to be 45 cents or 40 cents. They wouldn't drop it; it would have to be 45 cents.

I'm just going to say a few more words on this, then I'll get into the topic of the abolition, but, as I say, it kept me awake last night thinking about this. You look at the question, if we abolish the penny, what would happen to our terminology that we have, songs like Pennies from Heaven, two cents for your thoughts or a penny for your thoughts? What would you put in your loafers, if you had loafers?

Now I want to get to the topic at hand. I appreciate that sometimes common sense prevails and instead of doing the penny, we're doing the abolition of the Senate. In that case you have to look at it from the standpoint of common cents too, because if one looks at the Senate of Canada, it has been an old boys' club, a repository of the politically faithful to various parties. I think most Canadians, first of all, ignored it for a while because the senators didn't do anything, so it didn't bother them. Of course the Senate really came into great prominence when it attempted to block a few unpopular measures of the federal government and that's when it really became popular. But one has to look at it, if in fact they're just repositories of people who have been put there by political payoff, what are the taxpayers paying for?

My sense is that the taxpayers today have grave concern about the number of people they are paying to keep in their jobs, be it the members of the Legislature, be it members of the Parliament of Canada and be it the senators. They expect value for their dollar, which I think makes sense. So I think if you asked average Canadians on the street, "What has the Senate done for you today?" they

might say nothing or they might say some particular item that it has blocked, namely, the GST.

I guess their efforts to block the GST made them knights on white horses with lances. It's too bad they couldn't effectively block the GST because the GST is destroying this country. That, plus the PST, is making it impossible for the economy to turn around. In fact one fellow told me the GST does have positive aspects because you no longer have to figure out what the tip is when you're at the restaurant. All you do is mirror-image the GST and the PST and you've got your tip. But the Senate there could have served a very important purpose.

The proposals that are taking place within the framework of the constitutional discussions are talking about people who are accountable. Certainly I think if the Senate were to be accountable, were to be directly elected and were not to play the partisan games that are played by most politicians, then in fact it might be a worthwhile endeavour. I might be prepared as a taxpayer to support their rather humble trappings. We all know that the Senate has very humble trappings in Ottawa. They don't receive many benefits. Their salaries are extremely low. If you believe that, then I have some swamp land in Florida I would sell you.

In any event if they're meaningful, then as an institution I would be prepared to support them. But thus far, I've looked at the suggestions that have been made in terms of the Senate: first of all, the question of getting eight from each province, and a person having to run for the Senate, let's say in Ontario or Quebec. The cost of running for that seat would be so astronomical that person couldn't possibly come to that role without an awful lot of baggage. You see it in the United States. In the United States, some of these people have to represent very large communities and, as a result of it, when they get elected, the cost of getting elected requires them to pay back the people who have supported them financially.

What are you going to have? The eight senators will be people of great prominence. Now that's a positive. It may mean these eight people are going to be people who can give something to Canada, can add something to our circumstance. It might be similar to the situation that I'm surprised in the discussions of the Constitution they're not discussing the question of whether cabinet ministers, of whatever parliamentary system, are people who are drawn from the private sector and from business and from the union membership who are people who know something about the portfolio they're about to take over, instead of having people elected from the populace at large and then choosing people to become this, that and the other thing.

It's pretty difficult for a person to be the Solicitor General or the Minister of Correctional Services if he or she is not in fact involved in the justice system. What do they know about it? Similarly, in British Columbia I believe they've just appointed a person as a cabinet minister for the Attorney General's portfolio who's not a lawyer. What does that person possibly know about the portfolio? In fact if you don't know much about your portfolio, then things can happen behind your back, as we've all experienced in this House this week and last week and the week before, that

you're not knowledgeable about. That's to the detriment of the people of Ontario or the people of Canada.

I would suggest that abolition of the Senate gives me mixed emotions. It's an established body. It's one more of our traditions being eliminated. But at the same time, dollars today for taxpayers—particularly when you consider that, what is it, on July 15 or something the Canadian taxpayers are finally able to take their money and run, because they've paid tax right up to that point—they want dollar value. If you can't give them dollar value for the political representation they've got, then abolish it.

If we had the magnificent ability to be able to have people sitting out there in their armchairs to vote on this themselves, I think you'd probably find that they would support abolition of the Senate, because they don't see it as a functioning body. Even with the amendments, even with the discussions that are taking place within the constitutional framework, they would not perceive this as an advantage, except that, as I understand the situation, if there was an elected Senate and if in fact it was given the rights that are being proposed, at least initially in the constitutional discussions, that Senate could effectively have stopped the GST, the goods and services tax, or as it's affectionately called, "Get some more taxes."

I think that would have been a positive aspect for this country. We allowed a federal government to take a tax of an amount that has now had a staggering effect on our economy. That's why people are crossing the border to shop. It's not that prices are cheaper, it's just that they don't want to pay the tax, so they bring it back and they try not to pay the tax. We have overtaxed our people totally, and we as politicians are going to suffer the downfall of that, because eventually they're going to decide not just the abolition of the Senate, they're going to abolish the rest of us. They're going to figure it would be a lot cheaper just not to have us around. We will become like the dinosaurs.

1030

I guess you don't know how I'm going to vote on this, whether I'm in favour of the Senate or I want to abolish it. The specific reason is that I came here this morning to discuss common cents, pennies. Here I am with a number of delightful things to say about pennies and I can't say them. I want to save a little time for my colleague, because he will probably have something to say on this. He's probably well prepared to speak to this matter.

But it demonstrates—hopefully I've demonstrated without having people click off their television sets out there—just how foolish this whole thing of 10 to 12 every Thursday morning is. On the last occasion I think I offended my friend the member for Durham East about the fact that I said it was nice for him to bring a motion in support of English people here in Canada being able to have their pensions. I thought that was marvellous, but I spoke in the same way I'm going to conclude this morning: that until we reform this chamber and make the results of private members' hour from 10 to 12 every Thursday meaningful, so that the government of the day has to call the bill or the motion, then we are in an anachronism this morning. We are here spending two hours talking about the abolition of the

Senate rather than pennies and in essence there's absolutely no point to us being here this morning.

I say to the taxpayers of Ontario: "Unite. You write to your member and tell him that the 10 to 12 session in the morning on Thursdays should be abolished because it's costing you money and nothing comes from it whatsoever." It's a debating club. I think the taxpayers would probably press the button not just for the abolition of the Senate but for the abolition of private members' hour on Thursday morning while the House sits from 10 to 12—

Mr Paul Klopp (Huron): You just want to sleep in, don't you?

Mr Callahan: No, but I don't believe in coming down here to attempt to represent my constituents and perhaps bring forward a bill such as I did for schizophrenics—it was passed by the House and it never went anyplace. There are still schizophrenics roaming the streets of Ontario and parents who would dearly love to be able to do something for their loved ones, and it had absolutely no effect on the legislation of the day in terms of changing it.

So I say to you that if important things like that cannot be passed then really we have become unnecessary on Thursday mornings. Having said that, I will reserve a bit of time for my colleague, who will speak on the abolition of the Senate. I certainly look forward, Mr Sterling, to being able to debate the question of common cents, the penny, in the future.

Mr Allan K. McLean (Simcoe East): I welcome the opportunity to speak on this resolution in support of my colleague the PC member for Carleton, Mr Sterling. I think the member for Carleton has set a kind of record in this House because, to my way of thinking, since I've been here in 1981 I have never seen a resolution as short as this one is. The resolution reads, "That, in the opinion of this House, the Senate of Canada should be abolished." I think that says volumes of what the people in this province are saying.

The first woman elected to the Canadian Parliament, Agnes Campbell Macphail, was born near Hopeville in my PC colleague's riding—Mr Murdoch's—the riding of Grey. Agnes Macphail had a pretty quick wit and in 1923 she called the Senate the "House of Refuge."

When B. T. Richardson addressed the Empire Club in Toronto on March 12, 1959, he said: "The chief reason why the Senate has never contributed a single creative idea to the solution of any serious problem in our whole history is that it has failed to organize itself with information, research, study and discussion to arrive at conclusions on complicated problems. That's basically the reason why the Senate does not, in fact, know what's going on in the country, or in the world."

Ten years after that, in 1969, Richard J. Needham wrote: "Isn't it awful about those loafers sitting around taking handouts and simply sponging off the taxpayers? Let's abolish the Senate immediately!"

Our country is being torn apart by negotiations, discussions and debate surrounding various proposals for the creation of a triple E Senate. The people of Simcoe East tell me that the re-invention or reform of the Senate is not one of the major issues facing them. They're more concerned

about job creation, the sorry state of the economy and putting food on the table for their families. They do not believe Senate reform is one of the critical components of the constitutional package currently being studied across Canada.

People ask me what a bunch of appointed senators can do for them or their country that their elected representatives in Ottawa are not already doing. I can't think of one single, solitary senator who has a constituency office that he or she uses to listen to the views, opinions or concerns of the people.

There's a majority of Canadians who simply do not take the Senate seriously any more, and it appears that many senators do not either, if Senator John Haig was to be believed when he rose in the Senate in 1950 and said, "We members of the Senate are the highest class of pensioners in Canada." In 1964 Canadian artist Harold Town said, "We have one, mind you only one, really well-run home for the aged and infirm (prematurely or otherwise), and it is called the Senate." Mr Town's comments may be humorous, but it is truly unfortunate that we do not treat our senior citizens half as well as we treat the patronage appointees to the "House of Refuge," and that's to borrow Agnes Macphail's words.

We have an obligation to reflect the views and opinions of the people who put their trust in us to represent them in this Legislature. We can reflect their views and opinions by supporting this resolution by the member for Carleton that calls for the Senate of Canada to be abolished.

I think it is most important that on the eve of the Leacock Festival in Orillia I leave you with the words of Canadian humorist Stephen Leacock, a famous resident of the city of Orillia, who said in 1913, "Whatever be the virtues of an ideal system of appointment, the Canadian Senate is a mere parody of it."

This debate this morning perhaps would have been more appropriate at an earlier date. However, I believe it brings to the attention of this Legislature the views of the people of this province who want to have some real say in what's taking place in Ottawa. I remember sitting in this Legislature and the Premier saying, "We want the people involved, we want input from the people and we want the people to be part of this process of the Constitution." He condemned the previous Premier for not being open and accountable. Well, there's no one who has been less accountable to this Legislature in my opinion than the present Premier has in bringing the views of the people to that table—not his own personal views, but the views of the people.

The agenda in this Legislature, which has brought closure in now by the House leader, will end the debate today until September 28. I wanted the opportunity to speak on some very important legislation that was taking place in this House. That opportunity has been denied to me. I wanted to speak about the House rules. I wanted to speak about Bill 75, the Middlesex-London annexation. I wanted to talk further about county restructuring. That is not going to happen with the House adjourning today.

1040

Regarding this debate on the Senate, for a party that I understood was so much opposed to the Senate that on many occasions it has said, "We want the Senate abolished," will the real New Democrat please stand up who wanted that for many years? Is there one over there today with the views of that party who has said, "We want the Senate abolished"? Is there one of them over there today who's going to stand up when the vote comes and say, "We do want the Senate abolished"?

I welcome the opportunity to say a few words on this important resolution. I commend my colleague for bringing this resolution forward. I think the debate here today, as I said earlier, is so important that I wanted to express my views, as I have been doing for a very long time, with regard to the Senate and the patronage appointments being made there. I have yet to see one great expression from that Senate of how it would run the country. I don't know what they do, but I wanted to express what my thoughts were.

Mr Dennis Drainville (Victoria-Haliburton): In the few minutes I have available to me I'd like to address very directly the issue that's been raised about the abolition of the Senate.

As many honourable members will realize, we on this side of the House as a party have for years given support to the view that the Senate should be abolished. In fact, many of us really believe that should happen. But I'm afraid the reality is, we're in a situation in Canada now where we have gone into negotiations with eight other provinces and we've had to make some very tough decisions about what kind of institutions we're going to be able to continue to have in this country.

So we had to look at the possibility of allowing for a Senate which would be elected, which would have some powers and which would also be equal. Equality was going to have to be weighed for the position of our government; it would have to be weighed in looking at the powers and the effectiveness of those powers.

So it was that there was an arrangement made which was going to provide, I would say, an insurance policy, with the clause that spoke about the joint sessions between the House of Commons and the Senate that would effectively prevent a deadlock between the two houses of Parliament. That deal was one that needed to be made. I fully support the Premier of this province in having done that.

Let me also say that people in Ontario might not realize we do not have any senators in Ottawa. Mr Trudeau has senators, Mr Mulroney has senators and even Mr Pearson has senators, but Ontario has not had any senators in the whole history of having a Senate in Canada. They have been patronage appointments. They have been people totally committed to the person who appointed them to that body. So we have not had representatives. The very least we will have in this new Senate are eight people who are truly representative of the needs and aspirations of the people of this province; let that be understood.

I might also say that in terms of our deliberations as a select committee here in Ontario the select committee spent a great deal of time on this issue of the Senate. Although there was not overwhelming evidence across the

province of a view of what the Senate was made up of, there's no question there was an indication in Ontario that this issue was important and that if indeed there was going to be a Senate that Senate should be elected.

We did our work as a committee and we came up with our own proposals. I was involved in the discussions on the Constitution at the five constitutional conferences with the nine premiers. Our proposals put forward in the report of the select committee on the Constitution were very widely spoken about. In fact, I would say that it was at least a jumping-off point for the premiers to come at the Senate in the way they eventually did; that is, to look at the Senate as an equal Senate perhaps yes, but that the powers would have to be diminished somewhat. They have been in this proposal. It is not a triple E Senate that we have agreed to as a province; it is a two-and-a-half E Senate, or maybe even a two-and-one-third E Senate. That has to be understood by the people of this province and the members of this House.

I've touched very briefly on the points I want to make. We are at a time and a place in which Canadians are waiting for a resolution of these constitutional discussions. To not see that the agreements that have been made have been made within the context of deliberations and negotiation is to miss the point. We can talk blithely about taking unilateral decisions and say, "No, we're going to go for abolition." We can alienate the west of Canada, we can alienate the east of Canada, but what we must not do is destroy the country. So it shows statesmanship when the Premier of this province is willing to take seriously these negotiations and attempt to bring Quebec to the table by ensuring that certain fundamental questions have been dealt with.

Mr James J. Bradley (St Catharines): I regret that this House has so little time to discuss matters of importance of this kind—in this case, about two minutes and 14 seconds—but I want to deal with the idea of abolishing the Senate, which I think is the only action that the government of Ontario should be supporting at federal-provincial negotiations. For years, the New Democratic Party, if any party, has been the leader in wanting to abolish the Senate. We have seen a circumstance now where that position has been changed considerably.

I cannot see how anybody who believes in the democratic system we have grown up with could possibly countenance moving away from representation based on population. Here in the province of Ontario we have some 99 seats. We're supposedly going to get some more seats as a result of a deal. We're going to get those seats in any event because, based on representation by population, we have a change at the time of redistribution, and Ontario will get those seats.

What we are doing is reducing the influence of the people of the province of Ontario; we're approximately 10 million strong, handing the same power, to show the other extreme, to Prince Edward Island, which is a province with about the same population as the city of St Catharines. It makes no sense to me. It flies in the face of democracy. The abolishment of the Senate is the only solution. It will cost us millions upon millions more dollars now that we have an effective Senate and one which is, if not equal,

close to equal, because those people will be demanding the same services the House of Commons has.

I find it odd that Premier Rae could be outmanoeuvred in these negotiations by, of all people, Premier Don Getty, who I do not believe necessarily represents the people of the province of Alberta in discussing matters of the Senate. I don't think the people care about the Senate. They want to get rid of the Senate. They want to go back to a situation where democracy rules and not a second chamber.

Mr Ernie L. Eves (Parry Sound): I'd be more than happy to give the member for St Catharines two minutes of my time if he'd like to complete his remarks.

The Deputy Speaker: Is there unanimous consent? Agreed.

Mr Bradley: It's very kind of the member for Parry Sound to do so. I want to give credit in this case to the member for Carleton for drawing this matter to the attention of the House. We in this House have avoided this issue. What always happens in these circumstances is that the debate comes after the deal, and it's in effect a deal which is solidified by the premiers. If we want to see the provinces have some powers with which they could be comfortable, we could enhance an organization known as the council of first ministers.

At the present time, from time to time the first ministers meet to conduct certain business dealing with the entire country. By making those meetings more formalized, with a secretariat, with a commitment on the part of the federal government to meet with the provinces from time to time, I think we can accomplish the same thing in terms of allowing input from various provinces into national decision-making. But for the life of me, I do not understand why we'd move into a circumstance where you're going to have political deadlock.

I'm sure there are many people in Australia who would love to be rid of the Senate because of the deadlock they have there. In the United States, which has a different system from Canada, there are many people who see that the only way they break deadlocks in the United States Senate and in the House of Representatives is very simple: by making deals, deals that do not benefit the nation as a whole but that benefit certain fiefdoms in certain areas of the United States, so the contract for a new missile system goes to one state and a contract for a submarine to another state and so on and so forth.

Let's avoid the deadlock; let's bring back democracy to this country; let's abolish the Senate of Canada for good.

1050

Mr Eves: Despite the fact that I gave two minutes of my time to the member for St Catharines, I don't agree with his comments or with the member for Carleton in this resolution.

I am here this morning to say that although my personal preference is that I don't care what happens to the Senate, and I don't think many other Ontarians or Canadians do either, I do want to point out something to members of this House. Those of us who have travelled on the constitutional committee of this place—and I've been on all three that we've had since 1985—and those of us who

have had the privilege of attending some of the constitutional meetings among ministers and first ministers can tell you that you have to appreciate the feeling that people in other parts of Canada have for the need for one institution in our federal system where they are indeed equal players.

I think that if you listen to the concerns of the maritime provinces and of the western provinces, they have legitimate concerns. I don't think this is going to be the be-all and the end-all even if they are able to achieve an equal Senate, and I don't think it's going to solve all their economic problems, as some of them may think it will, but I think one thing it will do is to make them feel as if they are indeed equal players in one institution in our federalist system. I think that is very important and I think that has been the source of a lot of aggravation to western and maritime provinces for some period of time now.

I think that we as Canadians in the richest province in Canada, the most successful province in Canada, have to have some generosity of spirit and some understanding as to how people in other parts of this country think. Surely we are not so small or so parochial in our own thinking that we are not prepared to design an institution that will take nothing away from us except for, perhaps, 16 senators who weren't elected. That's all it's going to take away from the province of Ontario, in my opinion, especially with the proposal that was arrived at by the nine premiers and Mr Clark of the federal government a few weeks ago.

The powers of that Senate are not, quite frankly, as great as the powers of the existing Senate, the way the powers today are given to the existing Senate. The fact is that the Senate today doesn't exercise its power, as it feels that it's not a legitimate body because it's not elected by the people. I think that if we're going to have a Senate in this country, if it's going to continue to exist, it definitely has to be elected. The agreement that was structured by the nine provinces and Mr Clark of the federal government, although not everything I would like to see, is probably the best compromise you can achieve in our system, with so many different concerns, so many different parts of Canada with different concerns and different interests, and in trying to accommodate all of those.

I happen to know that the Premier personally was not in favour of an equal Senate. But as I've said to him before and will say here again now, if push comes to shove at the end of the day and that is the price of saving the country, then so be it. Surely we're not so small that we have to sit here like fat cats with 10 million people in the province of Ontario and try to dictate to the Prince Edward Islands and Albertas of the world what's good for them. "Because we happen to be from Ontario, we know best. We know what's better for you than you do."

As I say to the critics who talk about the population of Prince Edward Island, they might want to think about what the population of Rhode Island is compared to the state of New York or California. I realize that this is a different system of government, but the ultimate authority will still remain in the House of Commons for most important matters. The majority needed in the Senate will be very substantial indeed and in fact may require a joint meeting of the House of Commons and Senate, in which case members of the

House of Commons still have an exceedingly overwhelming majority under such a system. I don't know what we're afraid of here.

I want to get one final comment on the record. If this House passes a resolution here this morning saying to the province of Quebec that the province of Ontario is in favour of abolishing the Senate, I think that is a very wrong signal indeed to be sending at this particular point in time.

Mr David Winninger (London South): I too would like to commend the member for Carleton for bringing forward this timely and important issue. I want to assure the member for Carleton, however, that if he's concerned that a reformed Senate is going to in some way fetter the powers of his national leader, the Prime Minister of Canada, Brian Mulroney, let me assure him that after the election, he'll have nothing more to fear.

The member for St Catharines was quite right. The Liberal government in past years has evaded this question of reform of the Senate. The issue of the Senate was not solved at the Meech Lake accord. The issue of the Senate was not resolved at the 1990 conference, the Langevin conference. As late as September 1990, this predecessor government had a committee set up to study the future role of the Senate.

We don't live in a vacuum. At one time, my thinking was that we should abolish the Senate. I now believe that thinking is passé.

I'm not aware of too many committees that have been established that have recommended the abolition of the Senate. I do know that the Allaire committee, the Liberal Party committee of Quebec, recommended abolition of the Senate, and the Spicer committee recommended abolition of the Senate or a total restructuring of the Senate. Certainly the special joint committee of 1970, the 1978 Ontario advisory committee on the Senate and the Pepin-Robarts Task Force on Canadian Unity all favoured retention of the Senate but fundamental and structural reform of the Senate.

Why was the Senate set up in the first place? It was certainly set up for the protection of provincial minority and regional interests and as a chamber of second thought. While as a chamber of second thought it's certainly not been effective, it can be effective in the areas of protecting provincial and regional interests. I think that's what the member for Parry Sound was so accurate on when he said, moments ago, that the regional, the provincial interest in the east and the west can't live in a Canada without equal representation in the Senate.

We may criticize the method of selection of senators, we may criticize the term of appointment, we may criticize the failure to devote time to their duties, but the Senate certainly constitutes for us a second chamber that can reflect those diverse interests across Canada. I feel that the compromise settlement reached among the nine premiers and Mr Clark represents a larger step forward than has ever been taken before in our review of the Senate.

The Deputy Speaker: The member for Carleton, you have two minutes.

Mr Sterling: I want to say I know many other members would have liked to have had an opportunity to speak, but unfortunately those are our rules.

There can be no doubt that the powers of a new Senate, an elected Senate, would be much, much greater than they are at the present time, regardless of the rules. If I was elected as a Senator in Ontario and represented 1.5 million people, I've got to tell you, I wouldn't be taking a back seat to any MP from this province of Ontario who represents something like 100,000 people. For those who think a Senate which is elected will not participate in blocking and harassing the House of Commons in the future to a much greater degree, let them think something very much else.

My resolution does not relate to the fact that Ontario and the other provinces may indeed have to agree to a Senate in constitutional discussions. My resolution states that the Senate of Canada as it's now constituted should be abolished. My resolution says that this province, this Premier, this government should have taken, and we all should have taken, a much stronger stand from day one in the negotiations. Our first and best position is that the Senate be abolished. I am concerned about the attitude and the negotiations which have led to the existing proposals.

But I do not take the confirmation of this resolution, nor do I think anybody else can take the confirmation of this resolution, as a rejection of what the nine premiers and the federal government negotiated. All I want this Legislative Assembly to say is that, on behalf of its constituents, it would rather have the present Senate abolished once and for all.

1100

The Deputy Speaker: The time for the first ballot item has expired.

Mr Gregory S. Sorbara (York Centre): On a point of order, Mr Speaker: This point of order relates to the orders of the day that appear on business of the day for July 23, 1992. You'll note, sir, that there are two orders listed for debate this afternoon after routine proceedings. Order 50 requires us to continue the debate to—

The Deputy Speaker: Order. This is private members' business.

Mr Sorbara: I appreciate that.

The Deputy Speaker: But this is out of order.

Mr Sorbara: It's not out of order.

The Deputy Speaker: It is out of order. This is private members' hour and there are two items to be debated, so we must debate the issues that are on the Orders and Notices.

Mr Sorbara: All I'm asking you for is a ruling.

The Deputy Speaker: Orders of the day.

MUNICIPAL PURCHASING POLICY

Mr Sutherland moved resolution 20:

That in the opinion of this House, all regional, county, district, city and town governments with a population over 10,000 should be required to develop purchasing policies by January 1, 1994, that include the use of recycled materials, and that each purchasing policy include the following: (1) that all tendering documents indicate that preference

will be given to bids that use recycled material; (2) that all advertising for contracts will indicate that preference will be given to bids that use recycled materials; (3) that in selecting the supplier of the contracts, the municipality may consider an allowance in the bid price for those products that have 50% recycled material.

The Deputy Speaker (Mr Gilles E. Morin): Mr Sutherland moves ballot item 22. Pursuant to standing order 94(c)(i), the honourable member has 10 minutes for his presentation.

Mr Kimble Sutherland (Oxford): It is a pleasure for me to rise today to speak to my resolution. Let me say by way of introduction that this resolution is not meant to be an all-encompassing one in terms of solving all our environmental problems or all our garbage or waste problems. It is a resolution very focused on one specific aspect, that is, trying to develop some new markets for recycled products and recycled materials.

Each year in Ontario there are nearly 10 million tonnes of waste generated. That represents one third of Canada's total. Approximately 90% is disposed of in landfills. As we know, a great many landfills are going to be closed in the next few years, and we're going to have to try to find new ones.

Many municipalities across the province have engaged in recycling, whether it be blue box or some other form, and they are to be commended for that. The problem that has seemed to develop, though, is that many municipalities are concerned about the cost of recycling. They're also concerned that the prices they have been receiving for the recycled material has decreased significantly as a result of there being a surplus. Part of the reason is that new markets for the use of those goods have not been developed. As a result, in some cases much recycled material is just being stored in warehouses.

The purpose of this resolution would be to have municipalities start to create the markets by developing procurement policies that would encourage entrepreneurs, small business people and large business people, to spend some time, energy and research to use their creative talents and develop new products. If all the municipalities listed in my resolution were to do that, I believe it would create a large enough market that the entrepreneurs and creative people out there would want to spend some time trying to develop markets for that product.

Of course, after it was developed for them, I suggest it would also allow them to produce the product at a reasonable price because of the size of this market and then those products would become available for the general public as well.

In my resolution I left out townships for this requirement and towns under the size of 10,000 only because there are some administrative responsibilities for looking at and examining bids on this type of resolution and not all those smaller municipalities have the administrative support staff or the resources to carry that out. I certainly want to encourage those municipalities to look at doing that.

As I said, many municipalities are concerned about the costs of recycling. They are also concerned about the costs

of trying to find new landfill sites. They're lengthy battles. We had one in the riding of Oxford that went on for several years. It cost the county government, which is responsible for landfill, a great many dollars, and I think it's important that we try and deal with that.

There are a lot of initiatives under way by different municipalities already. They are to be complimented for that. The city of Toronto has a policy. There's also something called the GIPPER program, which is Governments Incorporating Procurement Policies to Eliminate Refuse. It's a committee of municipalities, many of them from the GTA as well as federal and provincial ministries, working on ways in which waste can be diverted. They look at federal guidelines and try and develop standards for their purchasing. That's good too, because obviously reducing the amount of waste is what you want to focus on as well. Given the sense that we've made a firm commitment in this province to go forward on recycling, we need to try and start developing the markets.

I just want to make one note here: In the June 1992 edition of Ontario Recycling Update is an article the member for St Catharines brought to my attention. Shell Canada is introducing a new line of motor oil containers that use a minimum 50% post-consumer recycled plastics. They are getting the plastic from Resource Plastics in Brantford. So there are initiatives under way in the private sector, but I think the public sector has a firm responsibility to provide leadership, and municipalities as well.

As to the specifics of the resolution, it's one thing to have a policy that you're going to give preference. It's important that the public and those people who are going to supply the products have some awareness of that. That is why I have required that it be mentioned in any of the tendering documents put out by a municipality, also in the advertising of those tenders in newspapers and whatever other forms they advertise.

In my resolution, I have said that a cost allowance could be allowed if those products contained more than 50% recycled material. I thought about putting in a specific amount of cost allowance, but I thought that should be left at a municipality's discretion as to what it thinks is appropriate. In some cases, in the initial stages to encourage new products, some type of cost allowance may be put in—that has certainly been done in other practices; to sometimes give preference to products from a particular region or area, there have been cost allowances built in—and I certainly hope municipalities would want to do this.

I don't see my resolution being an onerous thing on municipalities. They express concerns from time to time about legislation that is passed down to them or that they have to follow and don't have control over. I think that if this type of practice came into being, the municipalities would find it would save them money in the long run in terms of the costs of their recycling or allow them to expand their recycling into other products they're not doing currently. Again, that would be in the best interests of the environment as well.

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I also think it's very important to take note of the fact that the government of Ontario does have initiatives in this

way, so the resolution is not asking the municipalities to do something the provincial government won't do itself. They have undertaken initiatives there. I don't know all the history; I think some of that might have been started with the previous government. Certainly our government has undertaken to step up that program and try to reduce the amount of waste, but also specifically deal with procurement policies that involve recycled material.

I also think the economic impact here, in terms of creating jobs and new technology, is important. We all talk about green industries and how they're very important in terms of economic renewal for the province in those new areas. If we help to create the market, I think the private sector will develop these products and hopefully some of these products will have export potential. In a lot of areas there are already demands on products. Certainly for newsprint many of the foreign contracts now require that it contain so much recycled material. Of course, municipalities right now purchase items that contain recycled material—think of the steel industry, which has been recycling for quite a while—and products that way.

But I think we need to get more comprehensive. It has to be the majority of municipalities in this province doing it, using their dollars to spend wisely. I think if members of the public at large see municipalities, their elected representatives, taking the leadership they will pick up on that leadership and be more aware of how they spend their money in terms of purchasing environmentally friendly products and those products that have recycled material contained in them.

I look forward to the comments from my fellow members who will participate in the debate this morning, but I think this is a positive resolution for the environment, municipalities, our economy, small business, the entrepreneurial types, the inventive types and the creative types. I mentioned earlier, from the Ontario Recycling Update, how even some of the larger corporations, such as Shell Canada, are starting to get into this direction.

Overall, I hope all the members will agree with me that this is just one step in the process of greening the province and making it more environmentally friendly. This should not be seen, though, as an attempt to avoid the other two Rs, which of course are to reduce and reuse. More emphasis needs to be given to that. Those two Rs should take preference over the recycling, but clearly, if we're going to be able to keep recycling working effectively, we must develop the new markets.

The Deputy Speaker: The member for St Catharines.

Mr James J. Bradley (St Catharines): Thank you very much, Mr Speaker, for the opportunity to speak on this resolution. I want to commend the member for introducing it into the Legislature. I had the opportunity this morning at Brock University to address the International Joint Commission Great Lakes Environmental Education Institute. One of the points I made in an informal discussion with the people who were present was that even when there is less of an emphasis today on the environment because of the economic circumstances that face the province and the country, and in fact much of the world—we

don't get the stories in the news media about it; it's not the lead item on the CBC national news, it's not on the front pages of the newspapers, it isn't in the electronic media to the extent that it was before—one of the reasons for hope was that when we looked at the private members' hour, as we used to call it, the private members' time, many of the resolutions coming forward from members of all sides of the House dealt with environmental issues. This is clearly a message that members of this House, certainly from all political parties, and members of other elected bodies consider environmental issues to continue to be of importance.

It's a difficult time in the field of the environment. This is why I commend the member for coming forward with this initiative. There are many people who would like to put environmentalists on the run at this time. You will notice not-so-subtle efforts south of the border and some even in our country on the part of certain people in the corporate sector and certain naysayers about matters related to the environment—certainly not all; others are working well—to put environmentalists on the run, to put aside many of the initiatives that have been developed in various jurisdictions over the years, including Ontario.

No doubt there would be those watching today who would be critical of the member for suggesting this kind of resolution in these economic times. I would not be one of those. I think these are precisely the times when these initiatives should come forward: to demonstrate clearly to the public of Ontario that members of this Legislature believe the environment is important regardless of the state of the economy.

I also want to commend the member for dealing with the issue of recycling. There's a perception out there that recycling is a distant third in terms of the hierarchy of dealing with environmental issues. But the member has appropriately pointed out in his remarks that reduction and reuse are extremely important as well; in fact we should be making a variety of efforts in that field.

There are, first of all, those people who don't like any environmental initiatives and feel all environmentalists are somehow granolas who shouldn't be paid attention to. However, there are also fairly extreme people on the other side of the issue who wish to discount recycling as a significant component of dealing with environmental issues. The member has appropriately brought forward a resolution which says recycling does play a role. It may not be the pre-eminent role but it is still a role to be played, and it's a practical role in many cases.

There are those who will advance the argument, for instance, that it's still cheaper to throw garbage in a hole in the ground. I need not at this time, in July of 1992, explain to members of this House the hidden costs of doing that, costs which are not on the ledger. We all recognize it initially appears to be much more expensive to have a program which involves recycling. You will hear municipalities and you will hear others, the naysayers out there—who never wanted to see recycling programs and had to be dragged into them kicking and screaming—now complaining about costs, again not weighing the costs of continuing to burn or continuing to bury garbage in this province.

The member has a moderate resolution. It's a practical resolution. It's not onerous on any municipality, in my view. When he talks about preference being given in bids that use recycled material, "preference" to me is a very reasonable word to use.

I like his third suggestion as well, that they may consider an allowance in the bid price for those products that have 50% recycled material. Sometimes, at least in the initial stages, we find recycled materials do cost a bit more so people tend to recoil from that. If they're prepared to give that allowance, that will encourage many more people to put recycled material in their bids.

When the blue box program began in earnest in 1985, the member would know there were a lot of people who were naysayers at that time, a lot of people south of the border, a lot of people in the engineering field who said: "Well, of course this doesn't work. You're going to find that when markets go down, you will be in very great difficulties." The last government persisted and this government has persisted. Neither government has backed down in the face of that criticism. That bodes well for this Legislature and for this province.

When Chris Ward was the Minister of Government Services he began a program which has been extended and expanded by the present Minister of Government Services, Mr Wilson. As we walk down the hallways of this Legislature we see containers where you can recycle polystyrene. We see newspapers and we see fine paper that can be recycled. All these things can be done if there's a will there and if there are regulations.

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There are those who will make the argument—and the member, I'm glad, hasn't bought this argument—that people will do this of their own volition. They will do it when they're regulated to do it. Regulation is very good for at least getting the program going. The regulations don't have to be stringent, but they have to set out the parameters that the member has suggested in his resolution. I believe this resolution is worthy of favourable consideration by members of this House. The Minister of the Environment may then give it consideration.

I am pleased to see the member has taken this initiative. I lament the fact that the budget of the Ministry of the Environment has been cut. I say that not in a political sense; I say that as one who's been the Minister of the Environment and knows how you have to fight for dollars. Resolutions of this kind don't cost a lot of money for people. This is a practical resolution, it's a sensible resolution, and it's certainly one that I will be supporting.

Mr Allan K. McLean (Simcoe East): I take pleasure in rising this morning to speak on this resolution by the member for Oxford. The resolution requires that all regional, county, district, city and town governments with a population that exceeds 10,000 be required to develop purchasing policies that include the use of recycled materials.

I would have loved to see a resolution here this morning with regard to packaging, something this government has not fulfilled a commitment on that many of us have been looking for. It wasn't many days ago that I had the

opportunity to purchase a rain gauge. A lot of people would wonder why I would be wanting a rain gauge at this time of year, but I purchased one at a hardware store. I've got to tell you, the packaging that was required, apparently by the manufacturer, to put that little rain gauge in was amazing. We are debating today a resolution with regard to the policies of municipalities; I would have loved to see one here with regard to packaging.

The purchasing policy, I want to indicate, would include the following: that all tendering documents would indicate that a preference is given to bids that use recycled materials; that all advertising for municipal contracts would indicate that a preference is given to bids that use recycled materials; and that in selecting the supplier of the contracts the municipality may consider an allowance in the bid price for those products that have 50% recycled material.

The member for Oxford explains his rationale for introducing this resolution in a letter to the members, of which I received a copy:

"The purpose of the resolution is to help create new markets for recycled material. While a great deal of emphasis has been placed on municipalities to recycle, little attention has been given to the use of products containing recycled materials. Some municipalities, including the city of Toronto, have developed a purchasing policy towards environmentally friendly products where economically viable." They have done that.

The resolution deals with municipalities because of, as the member for Oxford says in his letter, "their responsibility for providing new landfill sites, plus sharing the cost of recycling programs." The member for Oxford feels this resolution will significantly decrease the cost of recycling programs for municipalities by increasing the demand for recycled materials. Under the resolution, municipalities would publicly state their preference for products with recycled materials, and the municipalities would also have the right to provide an allowance in the bid price for products that have more than 50% recycled materials.

The process to reduce the amount of waste going into disposal is well under way. The government of Ontario has established targets to decrease the amount of waste going to disposal by at least 25% in 1992—I believe that's been reached—and we've been looking at another 50% by the year 2000. Any initiative that helps to reduce the amount of waste that is generated is welcome. The member for Oxford's resolution, however, is fraught with problems and, I believe, was poorly thought out. I want to tell you some of the problems.

It is yet another example of the government's downloading on to the backs of municipalities in Ontario. In his opening remarks the member for Oxford indicated that it was a concern of his; however, he did not think it would be downloading.

At the present time Ontario municipalities are drowning under the added weight of increased welfare rolls. This has contributed to decreasing any financial flexibility these municipalities might have to adopt a preference for products with recycled materials. Most municipalities have had their tax bases shrink during the current recession, which also

contributes to making it more difficult for them to adopt the principles of the member for Oxford's resolution.

If we look at the tax rolls, the taxes not being paid, the back taxes not being paid, the municipalities, when you talk about giving them more responsibility, are having a problem. This also represents another example where Queen's Park creates programs for the municipalities while forgetting to send along a cheque to accompany them. This has happened in many, many cases. It is also well and good to suggest that municipalities should use products from recycled materials; however, many municipalities are being forced to go into debt at the present time to provide basic services.

The member for Oxford's resolution also fails to spell out what criterion was used to determine that this resolution would apply to municipalities with a population of 10,000 or more. What criterion did he use to determine that? The resolution would have been useful if it had made the use of products with recycled materials optional for each municipality and if incentives were provided for each municipality to adopt this method of purchasing. Municipalities are forced into the inevitable position of pitting their commitment to the environment against raising taxes or going further into debt.

In all the recent polls I've seen lately, the residents of Ontario are more concerned—first is the economy, second is taxes and third would be the environment. In the member's letter outlining his resolution he states, "Some municipalities...have developed a purchasing policy towards environmentally friendly products where economically viable." That is the essence: "where economically viable." The bottom line for the municipalities when they purchase is, and must continue to be, cost. It goes without saying that all municipalities would purchase environmentally friendly goods if the price were competitive with other products.

The member for Oxford's resolution is very similar to the previous government's tire tax. The tax on tires was designed to stimulate the tire recycling industry by funneling or rerouting the money spent on tires into tire recycling. Suffice it to say that the tire recycling industry was not sparked and this money has not gone into tire recycling.

If the resolution had any real merit the government would have incorporated it into the waste management systems planning program, which is designed to assist municipalities in designing long-term waste disposal systems. One of its objectives is to encourage the development of environmentally sound waste planning and provide a process that initiates 3R activities. That's what we want to see happen.

It is also ironic that this resolution should be brought forward by a member of the government, a government whose record on the environment is shoddy at best. I remember the government members, the Minister of the Environment particularly, when they were in opposition. She had all the answers, she had all the avenues of how she was going to solve the problems, but since they have been in government the answers they thought they had are not there.

The letters "NDP" have taken on a new meaning for the people of York, Durham and Peel. The meaning they have now is "No Dumps Please," to describe the environmental

flip-flop carried out by the present administration. Residents in York, Durham and Peel feel betrayed by a government that has broken another election promise. These individuals remember the NDP's pledge during the last election campaign that no garbage dumps would be established in agricultural land or environmentally sensitive areas. However, they have selected 57 sites in Peel, Durham and York to house Metropolitan Toronto's garbage. Several of these sites are on agricultural land or in environmentally sensitive areas.

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What bothers me is that I cannot figure out how they could pick 57 sites. What criteria are they using for 57 sites? Why don't they go back and pick probably 10 and then look at it from that point of view? These are proposed sites that you're looking at. My goodness, I wonder what criteria you are using to do that.

But don't forget, you have residents who live in these communities. They're worried about the quality of the water they'll be drinking and the health of their families and the sale of their homes. If you had a site proposed next to your property and you wanted to sell it, do you think the value would be up?

I'm telling you, that's why the people of Peel, Durham and York are angered by the process this government has used to select the sites for these dumps. The three final sites will be tabled in the spring of 1993, I understand, but I also hear it could be in September. Nobody really knows, and I for one feel sure that the government itself does not know.

These same people have been left to wonder why they were not asked about these garbage dumps and why there's no regional representation on the government agency. Why is there no representation from these municipalities on the Interim Waste Authority that selected the sites?

Why will there not be a full environmental assessment of the dump plan? Without a full assessment, no options other than the three-dump plan will be considered by the NDP, and the NDP's environmental policy will make losers of all of us.

If the NDP is searching for a constructive environmental initiative, it should look no further than Ontario's version of the chamber of horrors, better known as the Ministry of the Environment. The MOE has systematically slowed development to a crawl. Not only is it stifling initiative in this province, but the ministry is certainly a contender for Bob Rae's title as Buffalo business booster of the year. The constant holdup of approvals and the confusion that comes from a ministry that is seemingly changing the rules on the run has made Ontario a nightmare for investment and development.

You can talk to many of your constituents who are looking at the problems with the MOE. They're looking at approvals they're trying to get. One of my constituents, Mr Smith, has come face to face with the MOE's chamber of horrors:

"The problem we are experiencing is that of a bureaucratic nightmare. With the development industry in such poor shape today, the province must devise a system which allows a certain degree of wealth and prosperity. If this does not happen, people cannot find work, and those with

the wealth are not willing to share it by providing employment in the labour force."

Mr Gill is just one of a growing legion of people who are becoming frustrated and alienated by the insensitivity and dictatorial nature of the Ministry of the Environment.

I guess no one is more punished by the Ministry of the Environment than Mr Bell in Stayner, who is trying to get a plan of subdivision approved. He says:

"I have to improve myself and become more competitive in this environment and I can't survive very much longer. The costs of trying to get [approval] are killing me.

"This is about my survival here as a business. Really, my only hope is to get this [building] permit so that we could develop this site...to bring more money into the business."

I could go on, but I want to talk to the people with regard to the hydrology studies that appear to be a problem within that ministry. There is a waiting list of about nine months to a year. An individual will have his plans returned to him. He will have his consultant revise them. He will return them to the ministry and they will be at the bottom of the list. There are all kinds of examples of that.

I look at the blue box recycling plan that's been in place. I look at my own community, where the people are trying to get into the recycling of plastics. When we had the mayor of Mississauga before a committee, she claimed they had 500 tonnes of plastic in storage that they couldn't get rid of. Is this resolution going to implement a policy that is going to do away with those plastics that are sitting in storage now?

I think the essence here today, dealing with this resolution, is that I would have been more pleased if we had been dealing with reduction of packaging. The minister spoke very strongly on that in opposition but I have not seen direction coming from this government with regard to packaging. I started out my remarks by indicating the purchase that I made a short period of time ago, with regard to the packaging involved. Why is the leadership not coming from these people with regard to packaging?

Today we have professional people who do the testing of water and I commend them for the job they're doing. They want to make sure the environment we live in is more friendly and makes Ontario a better place.

Mrs Irene Mathysen (Middlesex): I am very pleased to give support to this resolution from my colleague the member for Oxford. This resolution makes possible a clear and very important statement for municipalities regarding the value of waste reduction and recycling. In addition to municipal recycling through the blue box system, it would signal concrete support for the products and industries that will develop in response to the abundance of recycled materials that unfortunately used to end up in landfills and were consequently wasted. We know that as a society we can no longer afford to waste our resources.

In addition to the waste of our resources is the fact that siting landfills is a highly emotional and very expensive proposition for a community. Traditionally, people have feared that property values will go down, that soil and water will be contaminated and that the host community will suffer as a result of that landfill site. Yet ironically,

while many of us will resist having that landfill in our neighbourhood, we still persist in creating the garbage that needs to be landfilled.

The key to resolving this contentious issue is of course to produce less waste, less garbage. That is why in Bill 143 the Minister of the Environment, the most honourable member for Etobicoke-Lakeshore, included changes to the Environmental Protection Act, changes that compel the industrial and commercial sectors to conduct waste audits and reduce the waste they generate. It's part of the pollution prevention policy and strategy of this government. It's why the waste reduction office has been set up: to facilitate this most important step in the reduction of the waste we send to landfill.

In Bill 143 there is a requirement for waste to be separated at the source so it can be reduced, reused and recycled effectively and efficiently. If we're ever to move away from our reliance on those unpopular landfill sites, we have to change those wasteful ways.

I'd like to say here too that interestingly enough, even while there was acknowledgement during the public hearings on Bill 143—I dare say if you were to ask members in this House about the 3Rs, the response would be that we must make every effort to save resources and make better use of those resources—there was still, despite that acknowledgement that we must reduce, reuse and recycle, the complaint from some municipalities and some in the business communities who came to the Bill 143 hearings that recycling was too expensive and unsustainable because markets for recycled material were not readily available.

There was much discussion about expenditures for the warehousing of materials collected by recyclers, materials that didn't have a market. Since this apparent lack of market places recycling in jeopardy, it's therefore essential to have a use for the collected materials. This, of course, is what makes this resolution by the honourable member for Oxford so very important and appropriate.

If municipalities do indeed develop purchasing policies that include the use of recycled materials, there will be a very real incentive for businesses and entrepreneurs to develop more products containing recycled materials. We will see more of the green industries that we believe will be the basis of our economic renewal. I must add that it will be an economic renewal that is not only sustainable in terms of resources, but also promotes a cleaner and safer environment.

The procurement currently being pursued by the government of Ontario is one that supports the 3Rs and the conservation of energy and water. We have recognized our responsibility to lead by example. In addition to efforts to reduce waste, reuse where possible and then recycle is the decision to acquire supplies, equipment and services that have the least negative environmental impact. There has been a decision made to use procurement as a means to support the suppliers of equipment, products and supplies that have specified levels of recycled content.

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Because of the value of government purchases—and I must say that the incentive is very attractive and very profitable to suppliers who wish to fulfil this requirement—

these environmentally sound requirements, if enhanced by municipal purchasing policies, will doubly add to the value and will make a much greater market for the kinds of goods that show we are indeed concerned for and willing to take steps to protect our environment.

It's not enough for us to say we should create less waste. It's not enough for us to say we don't like dumps and just protest the siting of landfills. Those are, I think, the false environmentalists, because while they generate the waste, they're refusing to take responsibility for it, and we have failed our environment if we continue to behave in that way. We have to act in a constructive manner. This resolution provides a very positive vehicle for municipalities to use their considerable buying power to effect tangible, positive results for themselves and for their constituents.

In conclusion, I'd like to say once again that I commend my colleague the member for Oxford for bringing this resolution to the House. I would also like to compliment him for the additional information he's provided. He hasn't simply said we should require municipalities to adopt these procurement policies; he's also provided an extremely valuable checklist for municipalities to use so that they can pursue this important course of action.

This checklist includes some 35 guidelines to assist governments' purchasing staffs in product selection, things such as product criteria which require, for example, that the product designed be durable and long-lasting; that recycled materials used to produce the product be indicated very clearly; that the product not contain banned substances; that the product is recyclable following use and that the product is energy efficient, and in response to my colleague across the floor, requirements around packaging—for example, that the product packaging be designed in a minimal way and that the package be reusable or recyclable.

Herein you can see that the honourable member is not only inventive; he is providing us with very practical ways to make his resolution work.

I'm convinced of the dedication of Ontarians to our environment and to solving the dilemma that we find in terms of our waste and our garbage. The proposal brought forward today is a firm step in the right direction to achieve our goals for waste reduction, and I thank the member.

Mr Robert V. Callahan (Brampton South): I'd like to take the remaining time to say that I agree with my colleague that this is a good idea from the member for Oxford, except I have to say to the member for Oxford that I'm going to ask for his intervention with the Minister of the Environment on behalf of a business in my riding called Kentrex International Inc.

Back in August 1991 it was approached—it didn't approach but was approached—by the Minister of the Environment to seek a grant to assist it in its operation whereby it recycles 100% of used tires. In fact, they're producing products made from 100% recycled materials for sale in the retail marketplace. As I say, this was at the encouragement of the Ministry of the Environment in August of last year. As of today, nothing has happened. It's still under consideration by the ministry officials.

My constituent tells me the biggest problem is that the personnel keeps changing in the Ministry of the Environment and they keep having to go back and do show-and-tell for them to demonstrate how this particular product could be worthwhile.

I'm told by my constituent that they would prefer to stay in Ontario because they like Ontario, but if in fact something is not done by the Ministry of the Environment in terms of arriving at a just decision in this regard, it'll be necessary for them to move to the United States, and once again we will see an elimination of jobs from this province.

They were told there was tire tax money available, and of course tire tax money has been collected for three years, yet they hear things such as, "There's no money," or in the alternative, "You have to show us what your product can do all over again."

That's 14 months ago again, at the urging of the people from the Ministry of the Environment. They were urged to apply for a grant to assist in the installation of a scrap tire reduction facility in Ontario. I'm informed by my constituent that their facilities are designed to produce clean, ultra-fine rubber crumb for blending with recycled plastics for utilization in the manufacture of value added products for the consumer marketplace. They've not got any response. In fact, the process my constituent has is one where nothing goes to the landfill at all. It is 100% recycling of the tires and inclusion of that with plastics, so you in fact have a perfect opportunity for the process. The only program it seems the Minister of the Environment is interested in is 3Rs.

In Ontario it's estimated the jobs that could be created would be significant. It would generate taxes. There would be a positive effect on our balance of trade. As well, it would consume some 100 million pounds of recycled plastics annually while providing a viable and profitable solution for the disposal of some 2.3 million tires annually. Some of the investors in this company are getting tired of the answers they're getting—the government of Ontario, they say, lacks credibility with the business community—that there are no funds available. They were told in one instance that if the grant was approved by the ministry, the receipt of the same could be delayed indefinitely.

People from my riding met on April 16, 1991, with Brendan Killackey of the ministry to discuss the situation. June 17 they met again. August 19, 1991, they met again. It's, as I say, due to the numerous changes in the personnel.

Kentrex, which is the name of this company, calculates that 15 million pounds of compound translates to 100 direct jobs in the manufacturing sector. In fact they sent to the minister some of the job creation projections that would be attributable to this. Some 82 direct jobs would be attributable in the tire reduction facilities, 300 direct jobs in the compounding industry, 700 direct manufacturing jobs in plastic moulding, 800 direct jobs in the plastic recycling sector, 1,400 direct assembly jobs in the manufacture sector and 50 jobs in transportation of bulk materials.

I say to the member for Oxford, I support your proposal, but the proof is in the pudding. Here you have a state-of-the-art facility that didn't go looking for a grant from the government at all. It was approached to do it because they said its program fitted so well into the 3R

program the Ministry of the Environment wanted. Since August 1991, they still have not got an answer.

I suggest you write that name down, Kentrex, and you inquire of the minister as to why that application has not been granted, because you look at the large number of jobs we could lose to the United States if in fact this grant is not allocated and if in fact they keep them on a string. It falls totally in line with what your minister seems to be proposing and in line with the principle of the motion you brought forward before this Legislature today.

I urge the member for Oxford to seriously consider that if the government is truly responsible and truly wishes to use the principles of environmental reduction it has and isn't prepared to look at any other type of application, then in fact it should be responding immediately to applications such as this, particularly when it and its ministry officials say that this fits in so well with the program, particularly when you consider the number of tires that need to be disposed of. You're going to have them disposed of in a way that will not require incineration. It will be a matter that will be 100% recyclable, nothing will go into the landfill sites, so that all the problems that have been created by the question of other types of garbage that are creating demands for landfill sites will be reduced.

The member for Oxford, I'm going to consider supporting your resolution but I suggest to you the minister has to get the message that when people approach her with ideas that are acceptable and that work, she can't just put them on the back burner and say there's no money or you can't keep changing personnel in the Ministry of the Environment so these matters never get dealt with, because what in fact you do to companies is force them, from a standpoint of economics, to retreat from this province.

1150

My friend the member for Scarborough-Agincourt has done a litany of retreats of industries from this province on a daily basis, the number of jobs that are being lost. If the government is truly interested in preserving those jobs and in generating those jobs, then in fact what has to happen is the ministry has to be active. But what we're seeing with the Ministry of the Environment these days seems to be sort of put it on hold and play games with it because you don't want to give the money out right now. That money's all there. That money was collected for a very specific purpose. I ask you to keep in mind the name Kentrex and if you would follow up on that and find out what the ministry is doing with it.

The Deputy Speaker: Thank you. Your time has expired.

Mr David Waininger (London South): I'm pleased indeed to rise in support of the resolution of the member for Oxford, which I feel will go a long way towards encouraging sustainable municipal procurement in this province.

I recall that one presenter before the standing committee on Bill 143 suggested a future archaeologist might conclude of our society that this wasn't the Stone Age or the Bronze Age or the Iron Age, these people lived in the trash age. As we accumulate mountains of garbage and non-biodegradable solid waste, our society's most enduring

legacy may be the amount of accumulation of garbage. The average Ontario resident throws out each day more than 2.5 kilograms of waste and, as has been observed earlier, as a province we generate 10 million metric tonnes per year, only 20 of which are recycled. So we need to encourage everyone, young and old, to encourage utilization of the 3Rs, reduce, recycle and reuse, so that we can achieve our target this year of a 25% reduction in waste and a 50% reduction in solid waste by the year 2000.

I would applaud my own city of London for some of its initiatives taken to reduce waste and also to create some innovative procurement programs. I checked with our city hall yesterday on this issue and was advised that we have a signed statement in London committing our city to buy, as much as possible, only things with recycled paper content, and almost all the paper used at city hall is recycled.

Moreover, all city construction projects used recycled asphalt and all asphalt that is removed is recycled. In construction tenders, in practice, contractors with city hall are encouraged to reuse waste concrete and asphalt and there is a plan now to rewrite the standard tenders. There is also a program in place for staff to visit business and industry to instigate waste audits which will enable them to assist with planning waste disposal and recycling.

I'm proud that our government has spent several hundreds of thousands of dollars in the past fiscal year on recycling projects, including the sponsorship of students involved in school recycling programs. I'm pleased that some of our students are present in the House today to be commended for their efforts. Our minister, Ruth Grier, has said how delighted she is to see how many projects for recycling are being put forward, especially by young people.

I realize time is short, but I would commend the students who put together this report called *Visions 2020: Youth, Environment and the Future*, which is a discussion in response to the Brundtland report on sustainable development. Through poetry, artwork and short essays, students have attempted to come to grips with some of the challenges we face in terms of recycling.

I will just quote very briefly from a presentation by London District Christian High School in London, where the authors write, "Our goal is to prevent materials that could be reused from being discarded in landfill sites."

These are resources that must be reused. The government, through programs and incentives, will create the structures needed to collect, process and reuse once-used products. Permits and strict guidelines must be obtained to ensure responsible environmental stewardship.

I'm confident, through the vehicle of this resolution, that public scrutiny will be brought to bear on the important issue of municipal procurement, and I trust that in the future we can eventually target 100% recycling.

Ms Christel Haeck (St Catharines-Brock): I want to personally thank the member for Oxford for bringing forward a very creative piece of private member legislation, because it really raises the consciousness of everyone in this House and the public at large to a very important topic. Very simply said, landfilling is expensive. The more we can do either as individuals or as municipalities and at other levels of government to ensure that as little as possible has

to be landfilled, we are basically saving ourselves as taxpayers an awful lot of money.

To follow up on some of the comments that have been made here today, locally in my own riding Domtar paper recycles post-commercial products, that is from Bay Street and possibly from this government as well, and reworks that paper into a beige-coloured paper. Anyone who has ever received a copy of a letter from the Ministry of the Environment will recognize very easily that this is their paper. It's something that obviously can be done by many municipalities.

I want to quickly comment on a few comments made by members opposite and say that incineration is really not an option. I have here the Ontario Recycling Update for June 1992, and it states that a report from the New York City department of sanitation claims that "state-of-the-art technology will eliminate pollution from incinerators." This report from the city's office of the comptroller states otherwise. "Even the best available pollution controls still allow the escape of toxic elements in the form of gases or particulates."

Further, as the member for Simcoe talked about, in the packaging industry there are in fact a whole range of initiatives to reduce the amount of packaging, and municipalities really have to be conscious of the cost-saving factors here too.

The Deputy Speaker: The member for Oxford, you have two minutes.

Mr Sutherland: First of all, I would like to thank my colleagues the member for Middlesex, the member for London South and the member for St Catharines-Brock for their comments and their participation in the debate today. In my summary, I want to make a couple of comments in reference to the comments made by the member for St Catharines and the member for Simcoe East.

The member for Simcoe East talked about the costs to municipalities and the economic costs of such a resolution as mine. The member for St Catharines made reference to how people's environmental concerns have dropped a bit, given the impact of the recession and their focus on jobs. What we all have a responsibility to do is to educate people so they see that economic competitiveness is equal to environmental concerns.

Those industries that are out there on the leading edge of the environment in terms of cutting their waste, their energy use and those types of things are the competitive companies—certainly the ones in my riding that are taking that initiative. All we need to do is look at Japan and Germany in terms of how they turned energy efficiency in their auto industries into a worldwide industry. We need to become the leaders in new areas, so I think that's important to remember.

1200

In terms of the overall cost and the cost allowance for startup costs, I think it's important that our orders of the day are printed on recycled paper. When recycled paper was first available it cost far more than regular paper. Right now, because there's been a large market created for recycled paper, you can get it at almost the same cost as

regular paper, and that's certainly some of the focus of what we're trying to do here.

Finally, my last comment is to the people at home or wherever who may be watching, to write to their local municipality and find out what type of procurement policy it has for environmental products, and if it doesn't have one, to encourage it to develop one.

I thank all the members for their participation.

The Deputy Speaker: The time provided for private members' business has expired.

SENATE OF CANADA

The Deputy Speaker: We will deal first with ballot item 21 standing in the name of Mr Sterling.

Mr Sterling has moved private member's notice of motion 22. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Pursuant to standing order 94f, the recorded vote on this ballot item is deferred.

MUNICIPAL PURCHASING POLICY

The Deputy Speaker: We will now deal with ballot item 22 standing in the name of Mr Sutherland.

Mr Sutherland has moved private member's notice of motion 20. Is it the pleasure of the House that the motion carry?

Motion agreed to.

1207

SENATE OF CANADA

The House divided on Mr Sterling's motion, which was agreed to on the following vote:

Ayes—27

Akande, Bisson, Bradley, Brown, Callahan, Conway, Dadamo, Elston, Fletcher, Haeck, Hansen, Jackson, Johnson, Kormos, Lessard, McLean, Miclash, Morrow, O'Connor, Sola, Sterling, Turnbull, Villeneuve, Waters, White, Wiseman, Wood.

Nays—18

Carter, Cooper, Coppen, Drainville, Eves, Ferguson, Frankford, Huget, Klopp, Mackinnon, Mammoliti, Marchese, Martin, Mathysen, Sutherland, Wessenger, Wilson (Kingston and The Islands), Winner.

The Deputy Speaker: All matters relating to private members' business have been completed. I will now leave the chair and the House will resume at 1:30.

The House recessed at 1210.

AFTERNOON SITTING

The House resumed at 1330.

MEMBERS' STATEMENTS

ONTARIO HYDRO RATES

Mr John Sola (Mississauga East): I received a Dear John letter from Hydro Mississauga:

"We want you to be aware of a resolution passed by the Mississauga Hydro-Electric Commission on July 2, 1992, wherein it 'strongly recommends that Ontario Hydro be restricted to an increase of 1% to 2% in the wholesale cost of power.'...

"We believe the time has come to contain the runaway costs of Ontario Hydro. On a recent national convention of the Canadian Electrical Association, Angus Reid reported that cost is the most important public attitude issue of 1992....

"We believe an overhaul of Ontario Hydro similar to results at the Tennessee Valley Authority in the United States is what is required. Since 1988, \$400 million has been cut from the TVA annual operating expenditures while electricity production increased by 10%. Payroll has been cut from 37,000 to 20,000 people and, most importantly, no rate increase will be necessary in the coming fiscal year.

"Hydro Mississauga has cut its payroll by 25 people (6.7%) and is holding our operating cost budget to a zero per cent rate increase for 1992....

"If our industries are to remain competitive and our customers are allowed to pay electric rates that are in the range of inflation, then something must be done by the management of Ontario Hydro to reduce the cost structure of the provincial utility."

It's signed "Yours truly" by Alan Bradley, chairman, and I wholeheartedly agree with his recommendations.

MUNICIPAL BOUNDARIES

Mrs Dianne Cunningham (London North): I'm extremely disappointed and angry to learn that full public hearings by an all-party standing committee of the Legislative Assembly of Ontario for the London annexation bill will not be held this summer. The uncertainty around this legislation affects the economic growth, whether it be agricultural or industrial land, of all of southwestern Ontario. Final decisions could have been made much sooner as part of the ongoing democratic process had this bill received second reading before the summer break.

The OPP detachment has already announced that areas affected by the legislation will no longer receive its services as of January 1, 1993. The London police force will have to budget accordingly so that the people in these areas remain well protected. In the meantime, it is important that the ongoing transition team discussions continue in order that municipalities can plan their budgets.

The minister has decided to conduct his own hearings in London during the summer. This will provide Middlesex county and London residents and all those concerned the opportunity to discuss alternative proposals and voice

their concerns about the administration of some of the best agricultural land in Ontario.

As we all know, there has been a great deal of controversy about the process leading to legislation, Bill 75. The minister stated that the implementation date of January 1, 1993, will not change. Furthermore, he still intends to conduct full public hearings by a legislative standing committee in Toronto after the House resumes in late September. Perhaps before the end of this afternoon there will be a way to get this London bill through. If not, perhaps we can send it out for public hearings after first reading.

GUELPH CIVIC CULTURAL CENTRE

Mr Derek Fletcher (Guelph): When the Minister of Culture and Communications announced the \$2 million in funding for the Guelph Civic Cultural Centre on July 7, the member for Wellington condemned the announcement as a cynical attempt by this government to demonstrate that it is creating jobs. He should have checked.

Not only has the federal Progressive Conservative government supported this project with \$2 million in funding, but the Honourable Mr Winegard, federal cabinet minister, has offered his generous personal support as a patron and has publicly endorsed the centre many times. In fact, this morning Mr Winegard was testifying before an Ontario Municipal Board hearing that his government indeed supports this project.

The member for Wellington should have taken the time to check the list of supporters, including local businesses, and I'm sure he'd have recognized many friends and supporters. The important fact is that this project has drawn support from members of all political parties and all of those supporters are united in recognizing the benefits of this project.

The member's criticism that jobs created by this project will only be short term is so shortsighted I can hardly remark on it.

As for saying that the people of Guelph and Wellington would rather have seen an announcement on hospital funding, the member knows the funding and roles for the hospitals were announced June 1.

This centre is going to be located by the river in Guelph. I hope all members can join me some day in kicking off their shoes and socks and dangling their feet in the river.

JAMAICAN CELEBRATIONS

Mr Alvin Curling (Scarborough North): I will speak on the 30th anniversary of Jamaica's independence. On August 3, Jamaica will celebrate the 30th anniversary of its independence.

Jamaica and Canada have long enjoyed a very special bond. Not only do the two countries have an extensive trade relationship worth millions of dollars annually, but Jamaica is a favourite tourist destination for tens of thousands of Canadians each year. Like Canada, Jamaica is a multicultural society, which is reflected in the country's motto, "Out of many, one people," which could almost be

Canada's own. Of course, many thousands of Jamaicans, including myself, have over the years made Canada their home.

Finally, I'd like to note that this year also marks the 30th anniversary of the establishment of the Jamaican Canadian Association, which is one of the oldest West Indian associations in Toronto.

I know that all members of this Legislature will join me in extending best wishes to the Jamaican Canadian Association and the entire Jamaican Canadian community.

I'm sure the new Prime Minister, P. J. Patterson, looks forward to a continued relationship, as do the many Jamaicans who have continued to make this their home and who have had many prominent roles in the Canadian community. We're looking forward to your joining us in having a great 30th anniversary.

LANDFILL

Mr David Tilson (Dufferin-Peel): I'd like to make the members of this Legislature aware of the Schomberg "no dump" picnic that is being held this Saturday on one of the nine potential sites Ruth Grier and the Interim Waste Authority have chosen for an 800-acre dump to house all of Toronto and York region's garbage.

Ruth Grier, the ultimate NIMBY, will not even consider any option other than a megadump for Schomberg. Why will you not allow your great non-partisan agency to explore the other options that are available to the people of York, Peel and Halton?

In the great consultative process this government is becoming infamous for, we are supposed to believe that the IWA is listening to the public during the public hearings and that it hasn't already made up its mind as to which sites are on the short list and, quite possibly, which sites have already been chosen for the final three megadumps.

Please join me Saturday as I oppose the IWA's plans to place a megadump on A-1 agricultural land in Schomberg. The "no dump" picnic, sponsored by Respect Our Rural Environment, will be held on one of the nine preliminary sites chosen, the 11th Concession of King township, from 11 am to 3 pm.

This entire process has been flawed from the beginning, with the great NDP defenders of the people willing to displace operational farms for a dump. If this government is remembered at all it will be for its undemocratic ways and the classic hear no evil, see no evil and speak even less.

CLOSURE OF RADIO STATIONS

Mr Tony Martin (Sault Ste Marie): Several days ago, a decision was made by Pelmorex and Telemedia to close their AM stations, CKCY and CFYN, in Sault Ste Marie, the only two AM radio stations in my constituency. The closure of these two media outlets is of great concern to our community. The elimination of radio stations CKCY and CFYN will not only silence our local news, our local sports, our local causes and events, but it also paves the way for our US border community to further bombard us with American content and culture.

It is important to note that if CKCY and CFYN do close, we will be the only city of comparable size in Canada to function without an AM radio station. The plan to consolidate the management of the remaining two Canadian FM stations will contribute as well to an ever-increasingly uncompetitive environment.

Along with my colleague Sault Ste Marie's federal MP Steve Butland, I feel very strongly that any further decline of control, ownership and content of our local media systems will negatively affect our city's efforts to renew its economy.

At this point, the scheduled closing date for both radio stations is August 31, 1992. Steve Butland and I are appealing to the CRTC to hold public hearings into the issue and postpone the closing date until such hearings are held. We ask the province to support us in this request.

1340

CHEQUE CASHING BILL

Mr Gilles E. Morin (Carleton East): I am pleased that the Minister of Community and Social Services is listening. There is some attempt to help low-income Ontarians who must pay fees to cash cheques. I fear, however, that her advisers are not doing their homework properly. They remain bogged down in details while the cheque cashing debate evolves.

No piece of legislation should ever be rushed. We must carefully think through the implications of Bill 154. I believe this has been done. What bothers me is this wait-and-see attitude. The Minister of Community and Social Services cannot wait and see indefinitely. Time may be on her side; it is not the side of those who will continue to pay fees. I appreciate and share her concerns, but concern cannot be an excuse for inaction. There have already been too many delays.

The minister wants to avoid Quebec's mistake; so do I. Yet she commits the classic ministerial mistake: procrastination. We know that policy evolves at a snail's pace, yet this is a rare case where the proposed legislation has already been tested. We are benefiting from Quebec's experience. We will ensure that low-income persons can cash their cheques elsewhere after the prohibition of fees. The minister must instruct her staff to move on this issue.

INTERPROVINCIAL TRADE

Mr Ernie L. Eves (Parry Sound): Yesterday the C. D. Howe Institute released its response to the proposals for strengthening the economic union under the Constitution. It is their conclusion that the proposal designed to reduce internal barriers to trade within Canada will only serve to enshrine existing barriers.

Our caucus has been very firm in its support for reducing barriers to trade between the provinces for some years now. In our participation at the constitutional negotiations, we have made sure that the Premier is aware of this in the most direct manner. Unfortunately, the Premier does not appear to agree with us, and thinks that barriers to trade between the provinces are good for Ontario. Ontario—and Canada, for that matter—can only benefit from the removal of these barriers.

The current proposal pays only lipservice to the concept of an economic union and is so full of exemptions that it provides little real benefit to our national economy. By providing existing barriers with constitutional protection, as is proposed in the new section 121 of the Constitution Act, we will be permanently denying the Ontario economy opportunities which are increasingly being offered to our international trading partners.

I—and others, I'm sure—had hoped the debate on Canada's constitutional future would be resolved by now, but it appears that we will be continuing the debate for the better part of the summer at least.

I would urge the Premier to rethink his philosophy on trade barriers and, in future negotiations, to advocate the total removal of these barriers so that we may indeed achieve the free trade of goods, services and labour between provinces and attain an economic as well as a political union in Canada.

NANCY SWEETNAM

Mr Dennis Drainville (Victoria-Haliburton): I am honoured to rise in the House today to pay tribute to Miss Nancy Sweetnam, one of my constituents, who is a world-class swimmer and will be representing Canada at the 1992 Olympics this summer in Barcelona.

What most people don't realize, or maybe forget, is that our young athletes are people who try to lead normal lives. In the midst of highly stressful competitions and always in the public eye, they must remain calm, focused and completely dedicated to their sport and to representing this country. They are role models for all of us and they are also heroes.

Miss Sweetnam is an exemplary athlete. She has been devotedly competing for many years, triumphing recently at the Commonwealth Games, where she won a gold medal. At the same time, she has committed herself to her school work, recently graduating from high school and planning to continue her education at Laurentian University.

When Miss Sweetnam competes in Barcelona, I know the members of the House will be joining the rest of the country in wishing her well. But in the riding of Victoria-Haliburton, we will all be holding our breath with pride and delight, because this young woman from Lindsay proves that you can come from a small place and still make a big splash.

INVESTIGATION INTO RELEASE OF DOCUMENTS

The Speaker (Hon David Warner): Just before continuing with routine proceedings, on June 17 the leader of the official opposition (Mrs McLeod) rose on a point of privilege with respect to the outcome of an OPP investigation of certain members of this House.

The members will recall that I have previously ruled on the issue of members of an outside police force gaining access to any office within the parliamentary precinct for investigative reasons. As I understand this latest point, the Leader of the Opposition is asking that the Speaker somehow obtain for this House the results of the recent visit by OPP officers to the offices of the member for Bruce (Mr Elston) and the member for Halton Centre (Mrs Sullivan).

As has been pointed out on many occasions, the Speaker has no investigative powers. While I can appreciate the concern of all members with respect to the issue raised by the Leader of the Opposition, I must inform the House that the Speaker has no authority over the OPP or any investigation that that police force may carry out. Thus I am unable to obtain or provide for the House any information which would indicate the results of a police investigation.

Mr Gerry Phillips (Scarborough-Agincourt): I believe it's been myself who's raised this most often. The document that's been referred to, as you know, was a non-confidential, small briefing note that arrived in the hands of the member for Bruce. Less than two weeks later the anti-racket squad of the OPP arrived at his office to interrogate him as to how he came into possession of this document.

The reason it's so important is that fortunately the member for Leeds-Grenville, as the House has now found, was able to find out about a very serious matter because a member of the public felt confident enough to come to one of the members of the opposition.

If you, Mr Speaker, cannot protect us from the OPP anti-racket squad appearing on our doorstep, can you inform the members of the Legislature where we can look for protection then?

The Speaker: To the member for Scarborough-Agincourt, I regret if I've been unclear in attempting to describe to the House what powers the Speaker has or does not have. Based on requests made earlier, I made a ruling. I delivered that ruling to all police forces in Canada, instructing that before any police officer has access to a member within the precincts the police officer or the force contact the Speaker's office first to determine if the member in question was aware of the pending visit and would allow access or the opportunity to meet at a mutual time. My understanding is that so far that process is working.

There was a second item which was raised by the Leader of the Opposition, and that was with regard to whatever reports or results of an investigation: Could the Speaker obtain those documents? The answer is clearly no, the Speaker does not have any investigative powers. The Speaker does not have the ability to obtain for members the results of police investigations.

All that I can say in conclusion is that if the member indeed has had a surprise visit by the police, where the police have not contacted the Speaker's office before contacting you, then I would be pleased to know about that and would take whatever corrective steps would be of assistance. But I must stress that there is no way in which I can obtain for you the results of a police investigation or police visit.

Mr Phillips: Further on that point of privilege, Mr Speaker: I would then say that it is up to the Premier to provide the members of the Legislature with guidelines of when they will and will not call in the police. I think the Premier appreciates my feeling on this matter. I hope that some time soon we can see from the Premier the directions and instructions that he would provide to his government

in terms of when we will and when we will not be expecting the police investigation of the opposition.

Mr James J. Bradley (St Catharines): Further to this point of order, Mr Speaker: Very briefly, I would like to get clarification from you on whether you actually asked for those specific documents.

Second, there's some question about what the precincts are. The member for Halton Centre, for instance, was interviewed by the Ontario Provincial Police at the behest of the government in her own constituency office, which is not located in this building or in the Whitney Block, which is considered part of this building. Our concern would be as to the boundaries of that.

We're very concerned because if this were to be the case, for instance, if members felt intimidated, we would not have been getting the flow of documents we've received from various people in the government over the past couple of weeks and the Pilkey affair would not have been before this Legislature without that.

The Speaker: To the member for St Catharines, there are two questions, the first of which is that since it is not possible for the Speaker to obtain documents of the results of reports, then it would be inappropriate to make the request. Second, the precinct is described as the Legislative Building, the grounds on which it sits and the first three floors of the Whitney Block and does not extend anywhere beyond that which I've just described.

1350

ORAL QUESTIONS

MINISTRY TRAINING SCHOOL

Mrs Lyn McLeod (Leader of the Opposition): We ended the last session of this Parliament with the government running away from the problem of a totally discredited Minister of Northern Development. It appears that we're about to end this session of Parliament with the government running away from yet another problem of another totally discredited minister, the Solicitor General and Minister of Correctional Services. My question is for that minister.

For the last two weeks, we have been raising a very serious issue of mismanagement on the part of this minister and his ministry. It's an issue which has enormous consequences. On Monday of this week, to create some sense of responsiveness after the crisis that occurred, the minister told us he had hired Madam Justice Inger Hansen to conduct a review.

It's now a full week since he announced this review, three days since he appointed the judge, and we still have no idea what this eminent person has been appointed to do. There have been no terms of reference provided, and we don't even know if the judge herself has been given a clear indication of what she has been asked to do. I ask the Minister of Correctional Services to table in this House today, right now, the terms of reference so we all know what Judge Hansen has been asked to do.

Hon Allan Pilkey (Solicitor General and Minister of Correctional Services): First, I want to reject completely the assertions made by the Leader of the Opposition in her initial remarks as a precursor to her question. Second, I

want to advise her that Judge Hansen will be ready to commence the investigation that we as a government initiated on Monday. Third, I want to indicate to the member opposite, although I have done it in the House over the last couple of days, that the review is to examine the operations of the Bell Cairn Staff Training and Development Centre in Hamilton.

It will review a broad degree of investigation and interview with a variety of staff, including Bell Cairn staff, including course participants, external trainers and ministry employees. It will also review the documents, the policies, the memoranda etc that are involved, and we will also be collecting information with respect to operation of other training facilities within the area of our jurisdiction and review. All of this will be done by the most competent personage in Judge Hansen, and we look forward to her fact-finding report.

Mrs McLeod: I raise the question because we fear this is all part of the government simply trying to run away from this problem at the end of the session. We don't feel this minister really has any idea of what he expects Judge Hansen to be able to accomplish with what the minister continues to call a review. We believe the minister is simply trying to take a little bit of the heat off.

Nevertheless we recognize that the minister has appointed a judge who certainly has the capability to carry out a full investigation of the very real problems that exist in this ministry and in fact throughout the Ministry of Correctional Services itself. We need some assurance that the government intends to allow a full and frank inquiry to take place.

I ask the minister to explain to the House how his use of the term "review" is different from the carrying out of a full inquiry. When will this review start? When will it end? Will it be carried out in public or will it all be conducted behind closed doors?

Hon Mr Pilkey: I already indicated in the response when the initiative would commence. I want to suggest as well that this minister and this government, once being seized of the information, have been nothing short of proactive, deliberate and immediate. We have done so with respect to launching a police investigation so that we can bring to justice any perpetrators of alleged criminal activities. We have closed the Bell Cairn centre, and I will not allow the centre to reopen until I am quite and totally satisfied it will represent the kind of workplace that is harassment-free and free of any kind of circumstances which are not appropriate. Third is the retaining of Judge Hansen to do this further review into the matter.

It seems to me that those are quite direct actions, they are all-encompassing actions, and we look forward to the disclosure of the facts as they are found with respect to those investigations.

Mrs McLeod: Taking away the training facility for the staff is hardly a way of responding to what has been an ongoing problem in this ministry. Mr Speaker, you can understand our concerns, because this minister on Monday defined his understanding of the accepting of the

responsibilities as a minister as attending all the special events in his ministry.

By his actions, this minister has already shown us the very tragic consequences of simply making an announcement, going and cutting a ribbon at the opening and then going on to the next photo opportunity without stopping to administer his ministry along the way.

I ask this minister today whether he can tell us that his government is committed to carrying out a full inquiry; and, in the absence of terms of reference for his review, will he give Judge Hansen the mandate to carry out a full inquiry and to take this inquiry as far as she, in her discretion, feels that it needs to go, and will he step aside so that kind of inquiry can take place?

Hon Mr Pilkey: Responding to the last question first, the simple answer is no, for the reasons that I have advised this House for a week now and that have been borne out by facts the members opposite have in their own very possession.

I want to say as well that, in light of the information that we willingly made available to all members of the House, I find these kinds of questions quite disturbing. In terms of my response to one of the members of her own caucus, I indicated my involvement in terms of administration, in terms of legislative, in terms of special events and other awards, presentations to people in this province who have done a very commendable job on behalf of the taxpayers of Ontario. Yet they choose to pick out of that suggestion of administrative, legislative—they only wish to bring up some comment about ribbon cutting. I find it quite out of context, quite selective, quite political and not relative to the overall efforts made in this ministry.

Mr Sean G. Conway (Renfrew North): I hope the people are listening to these answers, I hope Gerry McAuliffe and Peter Mosher and others are listening to these questions, because we are seized of a most serious issue, and remarkably the government, for the first time I can ever remember in the history of this Legislature, refuses to table the written terms of reference for Ms Hansen's inquiry.

I want to say to my friends in the government, accepting that there might be a lot of difference of opinion between us on this very critical question, how is it that anybody in this place, anybody in this government, could imagine that we could launch whatever, a judicial inquiry, a judicial review, a fact-finding mission, without the written terms of reference being placed before the Legislature?

I ask the minister who is in charge of this, the Solicitor General, the Minister of Correctional Services, how dare he not table the written terms of reference of the Hansen inquiry, and will he commit now to do so before this day is out?

Hon Mr Pilkey: I'm really not sure how the member opposite dares ask the kind of questions and the continuation of the questions that he does after having been given full information and letters in absolute writing which state very clear and unequivocal facts. That's what I don't dare to understand.

But if it will assist the member further, I would like to indicate to him that this review will be a review of the ongoing allegations of sexual harassment and assault occurring at Bell Cairn centre, without in any way, I might add, interfering with the police investigation that is ongoing there. Also, it will review the ministry of corrections' response to these allegations, and as well we will attempt to draw conclusions which can be drawn about the ministry's working environment, from both the incidents involved and the response to those incidents.

1400

Mr Conway: Friends, I ask the press, listen to that answer. We have a minister who's launching an inquiry into himself and he won't honourably table the terms of reference for the Hansen inquiry. There is no precedent for that in the Parliament of Ontario. What possible reason is there not to table—

Interjections.

The Speaker: Order.

Mr Conway: Oh, they laugh. I tell you, they laugh, Mr Speaker.

I ask that the press, if no one else, demand that we see the written terms of reference, because there will be, if there isn't already, an order in council giving Judge Hansen, a very outstanding individual, a very clear and specific direction. In the midst of this grotesque maladministration, in the face of the bumbling incompetence of the minister of corrections, in the face of what may be wilful negligence, I demand, on behalf of the people of Ontario, that the government, at the very least, today table the written terms of reference for the Hansen inquiry.

Hon Mr Pilkey: I didn't hear a question; I just heard the member for Renfrew North being very vociferous and demanding. I would answer the question if there was one hidden in there somewhere.

Mr Conway: We have a sorry tale the minister himself released to this Legislature about sexual assault. We have allegations of gang rape. We have all kinds of senior officials telling us through these memos that they were talking about this maladministration for 10 months. Now we have the government saying, "Trust us, because we have launched"—something—"in the name of Miss Hansen." That something may be a review; it may be a fact-finding mission. We don't know what, but we do know this: There must be terms of reference.

It is incredible, disreputable and discreditable for this government, a New Democratic government, not to table those terms of reference so that we can all see what the rules are going to be, what kind of protection and redress Ms Palozzi, who has already paid for this maladministration—what kind of opportunities are the individuals going to have?

What is there to hide? Whoever heard of a judicial inquiry or a judicial review the terms of which are being kept from the Legislature and from the people? I ask again, will the minister who is launching this inquiry of himself do this as an honourable person: Will he at least commit today to tabling the terms of reference, offering the order in council that is going to provide the guidance for Ms

Hansen? Will he commit to tabling the terms of reference today?

Hon Mr Pilkey: I responded to the Leader of the Opposition initially in her question on what the purpose and terms of reference of the inquiry would be. I indicated to her that I had given that information previously in the House and I recounted to her today what that would be. We have given out to all members of this House and to the media all the documents and the covering letters with respect to this so that we could have a very factual explanation of the circumstances surrounding Bell Cairn, and we have done that of our own initiative; we have done it voluntarily and we have done it willingly.

In terms of the terms of reference Judge Hansen will be following, they also are available, will be available. There is nothing to hide in this circumstance and they will be available.

The Speaker: New question, the third party.

Mr Robert W. Runciman (Leeds-Grenville): My question as well is to the Minister of Correctional Services. I think over the past week and a half, if nothing else, we've concluded that the minister did not know anything about this matter at Bell Cairn—ignorance is bliss in his view—and there's mounting negative evidence in respect to his performance as a minister. We have people calling, we have letters, leaks to the media in respect to very serious concerns about his job performance as Minister of Correctional Services.

We've heard the minister's defence of his performance. We've heard the Premier defending him day after day. Yet the people who may have something else to say in a public way in respect to this matter are effectively being muzzled by the Premier and the minister of corrections.

I'm saying that if the minister is so confident about his performance as a minister of corrections, why is he continuing to keep his former deputy, Ms Palozzi, and other members of the ministry muzzled through a gag order? Why will he not allow them to come forward to make their views known in respect to his performance? If he's so confident about it, why is this gag order in place?

Hon Mr Pilkey: I can reiterate what I've told the House now many times: Once advised of this circumstance and seized of this situation, I acted directly, I acted immediately in a very appropriate way. Quite frankly, I can't help it if members opposite choose not to believe the facts they have been given. There has been a broad circulation of them, to the media and to those beyond who want them. I really don't know what more one can do, except to await the results of the investigations we have launched—two of them—namely, the police investigation and that of Her Honour Judge Hansen. I've indicated that will start immediately and that we all, as well as I, anxiously await the findings of that circumstance.

Mr Runciman: This is answer by rote, like the Minister of Northern Development earlier, in respect to the same sort of answer and not responding directly to the questions about his job performance. I want to get back on this issue about his performance and his assurances to everyone that he was doing a good job.

Prior to the opening of the Bell Cairn facility, corrections officers received their training at the Ontario Police College. We were advised that the Ontario Provincial Police applied great pressure to have the corrections officers moved out of the Aylmer police college because of significant problems with behaviour, and I want simply to put one on the record. The fellow who called told of an incident which occurred in July 1988 where a corrections officer was found in the room of a female OPP cadet wearing only his underwear. The female cadet was asleep; she hadn't invited him in. The corrections officer was chased on to the roof by OPP officers who were on duty. The next day he was picked out of a lineup, sent home and given three days' suspension by the ministry officials.

What I'm saying is that there have been continuing problems and pressure from the OPP to get these people out. That's why Bell Cairn was built. I'm asking the minister today, was he aware of these incidents? Was he aware of the problems in terms of the Aylmer police college? That's simply what I want to ask him today: Was he on top of these matters and was he aware of the pressure from the OPP for the corrections people to establish their own training school?

Hon Mr Pilkey: This line of questioning is bordering on the height of ridiculousness. The member now rises and asks me about July 1988. Not only was I not Minister of Correctional Services in 1988, I wasn't a member of the Ontario Legislature in 1988. If he wants to direct that question, he'd better direct it over there to the people who were the government of the day. I suspect they didn't do anything, but perhaps he should ask it over there.

Mr Runciman: Maybe the minister had better listen a little more closely than he's been listening. What I'm saying is, there's been a problem for a significant number of years with the corrections officials in terms of training. The OPP wanted them out of the Aylmer police college. That's why Bell Cairn was opened. You were there cutting the ribbon to open Bell Cairn, and what you're saying here today is that you were not aware of one of the major reasons the facility opened in the first place.

It's obvious that this ministry is rife and has been rife with serious problems for many years. This minister should have been aware of it. He should have been aware of it when he was cutting the ribbon at that school, and indeed he should have been monitoring the activities and the performance of staff and students attending the school based on the fact that they had problems at Aylmer and that that's why this school was created in the first place. Now he's professing ignorance on this. Clearly there's no justification. Explain why you did not know one of the major reasons that facility was opened in the first place. Try to explain that.

Hon Mr Pilkey: I'm not even going to attempt to explain the deficiencies of the previous government and the government before it, before this government was even elected.

1410

The Speaker: New question, the member for Oakville South.

Mr Gary Carr (Oakville South): My question is to the Minister of Correctional Services. I've had discussions with employees of the Ministry of Correctional Services. These employees inform me that going back to the fall of 1990 this government was made aware of serious problems within the Ministry of Correctional Services. I am informed that documentation of allegations, including sexual harassment, was given to NDP members of this Legislature. Would the minister confirm that this is indeed correct?

Hon Mr Pilkey: Again, we now have these assertions from people who are not being made public or are not known to me. I don't know whether the assertion is valid or invalid and certainly I can't speak for alleged circumstances of NDP members that are not known to me.

Mr Carr: I am informed through documentation that in the fall of 1990 the NDP MPP for Brantford was made aware of serious allegations at the Burtch Correctional Centre. I am also informed through documentation that in March 1991 the parliamentary assistant to the then minister of corrections, the member for Scarborough Centre, met with them and was given a package outlining allegations. I'm informed that these allegations were known by the then minister of corrections, Mr Farnan, his parliamentary assistant, Mr Owens, the deputy minister at the time, Mr McDonald, and that subsequently you and your deputy minister, Ms Palozzi, were also informed. All this group was asking for was an independent investigation of their allegations. Would the minister update this House on what he knows about the allegations at the Burtch correctional facility?

Hon Mr Pilkey: The opposition now leads a long way away from the Bell Cairn incident which we indeed have taken every responsible action on. They are now back into former ministers, unknown people and all kinds of allegations throughout the ministry. If there is some suggestion that there have not been grievances or difficulties or that there are grievances or difficulties within the ministry, certainly there are, as there are in all ministries. They are being addressed through the normal circumstances and procedures.

Mr Carr: The problem is that this documentation leads us to believe the problems at Bell Cairn may be just the tip of the iceberg. New Democrat MPPs, parliamentary assistants and two ministers were aware of problems within the ministry of corrections. That's what this documentation says. I submit to you that had you acted with an independent investigation, as requested by the employees, you may have avoided what happened at Bell Cairn because, remember, that was in March 1991. This makes you responsible for what happened at Bell Cairn.

My final supplementary is this: Will this minister include in the inquiry that is taking place allegations that may have happened at other correctional facilities as well as at Bell Cairn so that we can get to the bottom of how far these allegations have gone, what other facilities may be aware, including the Burtch correctional facility? Will the minister stand up today and say that this inquiry will look into the allegations that are now coming forward, that what was happening at Bell Cairn was indeed happening at other facilities across Ontario? Will he do that today?

Hon Mr Pilkey: We have commented previously that obviously there is a systemic problem at Bell Cairn. Judge Hansen will be doing her review of that facility and of several others. If from that review it becomes apparent and obvious through those particular findings there are other actions and procedures that can be taken to address any other systemic problems throughout the ministry as a whole, we're anxious for that information and pleased to act on it.

Mr Conway: The member for Oakville South has just put before the Legislature some very serious new allegations, and I want to pursue those with the Minister of Correctional Services.

The member for Oakville South has just said that he has documentary evidence to suggest that some time in the last 18 months two of the honourable minister's colleagues, the member for Brantford and the member for Scarborough Centre, had cause for concern about specific allegations of sexual harassment at correctional facilities in Ontario.

I ask the Minister of Correctional Services: Has he ever heard from either of those two specifically named colleagues, Mr Ward or Mr Owens, anything of a concern such as the one just indicated by the member for Oakville South?

Hon Mr Pilkey: As I understood it, the question from the third party emanates from a time under another minister with respect to the ministry. He has suggested certain allegations and documents. If he forwards them to me, I'd certainly be pleased to undertake to review the matter and respond.

Mr Conway: I listened very carefully to what the member for Oakville South said, and I'm sure he will be anxious to pursue this. He cited two dates, one of which was squarely within the mandate of the Rae government. His allegation—based, he says, on documentary evidence—is that two of Mr Pilkey's parliamentary colleagues, Mr Ward from Brantford and Mr Owens from Scarborough Centre, are alleged to have had information around specific incidents of sexual harassment in Ontario correctional facilities, and according to Mr Carr's allegation, those concerns were reported by the honourable members named to the ministry and to the minister's office in the Rae government.

That is my specific question: Have you ever heard from either Mr Owens or Mr Ward about any of their concerns about any kind of sexual harassment or related activity of that kind in Ontario correctional facilities?

Hon Mr Pilkey: The question that arises was with respect to the previous minister. I still haven't seen copies of these documents that have been suggested, and all I can undertake to do if I'm in receipt of those is to review my files and respond subsequently.

Mr Carr: I would like to read from some of the documentation. It says, "The MPP, Mr Brad Ward, of the Brantford riding, was contacted in the fall of 1990 by some employees who were at their wits' end over some unresolved issues." I am led to believe that what they asked for was to bring it up to the minister of the time and that a meeting was set up with the MPP, Mr Steve Owens, from

Scarborough Centre, the parliamentary assistant; that a package was given to Mr Owens that outlined and addressed some of the problems, including sexual harassment, and some of the problems going back to an inquest that was held, and that recommendations from an inquest were not being followed at this institution.

My question is very specific: Are you aware of any problems at the Burtch corrections facility, and if so, will you so inform this House what your knowledge is about what has been going on in that facility?

Hon Mr Pilkey: The member now talks about and clarifies his question under the heading of "unresolved issues." There certainly would be unresolved issues at Burtch, as there would be in all our particular facilities.

As I indicated, if the information is provided, I certainly am happy to undertake a review of my files and respond subsequently.

1420

Mr Carr: It goes deeper than that. I have a copy of a memo that went to the Deputy Minister of Correctional Services, wherein it says, "As you can see, the operation of the Burtch in recent years is quite serious and I am led to believe that some of the problems with regard to sexual harassment were such that when they were brought up, the people at that facility were told that the individuals had to come forward themselves, that they could not meet with the investigators through third parties, that the individuals had to come forward themselves and, as a result of that, the individuals did not make some of the allegations known."

My question to you is this: Since you have said that you are not aware of what is going on in spite of the documentation that says a member of your party, the member for Brantford, was aware of it, that the parliamentary assistant from Scarborough Centre was aware of it and had meetings subsequent to this when the change took place and the new deputy minister came in and you took over—the documentation says that you were informed about the situation, that in fact nothing had been done and that you were aware of it—will you again tell this House that you are not aware of any problems with regard to sexual harassment, with regard to a coroner's inquest, at the Burtch Correctional Centre?

Hon Mr Pilkey: The member opposite, in his document—which I still haven't seen; I thought it might have been sent over by now—talks about unrelated issues at Burtch.

He then, after recounting from the paper, puts it down on his desk, leaves it, and in his own words starts to say, "And I was led to believe." If he would leave all this conjecture and send me the facts of the matter, I will review that circumstance and my file and respond to him.

HEALTH SERVICES

Mr Mike Cooper (Kitchener-Wilmot): My question is to the Minister of Health. Over the past few months there has been some concern raised not only in my own community but in communities right across the province. It concerns the letters sent out last October from your min-

istry to all health service organizations in the province indicating that the ministry planned to begin negotiations with the Ontario Medical Association on possible changes to physician-sponsored HSOs and also to begin direct negotiations for new agreements with non-profit HSOs.

In order for your ministry to implement any changes arising from the negotiations, you also indicated that all HSO agreements were being terminated effective April 17, 1992, and were to be replaced with new agreements effective April 17, 1992. Subsequent to that initial letter, you've extended the termination date to June 17, 1992.

Over the past few months, both HSO health care providers and consumers have expressed their concerns about the delay in obtaining new contracts from your ministry. I can certainly understand their anxiety, it being a month past the deadline now. Minister, can you tell the House what progress, if any, has been made on reaching new agreements with the health service organizations in this province?

Hon Frances Lankin (Minister of Health): I'm pleased to answer that question. With respect to the health service organizations, it is a program of delivery of physician services that is paid for in a different way from the regular fee-for-service system that we're used to. It was established by the previous government, and the goals of that program are goals with which this government agrees completely.

With any new program, however, it's important to have a period of evaluation. In January 1990 the previous government established a committee to do that evaluation. That report made recommendations for a number of significant changes. We undertook negotiations with the Ontario Medical Association to attempt to achieve some of those changes in order to strengthen the program and be able to achieve the goals that had originally been set out in a better framework.

We actually have, about a month ago, arrived at a tentative agreement with respect to the HSO contracts. We've been working on the final wording. A week ago we finalized that. I'm pleased to let the House know that there are certain aspects of it that I think are quite major achievements. For example, the bonus scheme has been replaced with grants.

Just three more things, quickly: First, 24-hour coverage has been ensured. We have the establishment of an HSO consultation committee to continue evaluations in changing. Perhaps the most important thing the House would want to know is that we were able to roll back the overall costs by about 12%. It means about \$17 million in savings.

Mr Cooper: It sounds like you've made great progress, but I understand that each of the HSOs has to ratify its own agreement. Could you tell me when these ratifications are going to take place?

Interjection.

Hon Ms Lankin: I'm glad the critic for the Liberal Party appreciates that this is a good statement that's being made. It's an answer to a very good question. Of course the press release and information on this was released over a week ago. I'm sure she is aware of that.

With respect to the finalization of this with individual health service organizations and the ratification of the contracts, they are reviewing it at this point in time. We expect that we will hear back from each of them by the deadline, which is the end of this month.

Interjection.

The Speaker (Hon David Warner): Order, the member for Halton Centre.

MINISTRY TRAINING SCHOOL

Mr Sean G. Conway (Renfrew North): My question is to the Minister of Correctional Services. The minister released a very substantial amount of information the other day which indicates very plainly that an enormous number of people within the Ministry of Correctional Services had known and were concerned about the problems of sexual harassment and alleged very serious sexual assault at Bell Cairn on June 1, among other incidents. It's quite clear that it was a very widespread concern over many months around a number of incidents.

Now we have today startling new information provided by the member for Oakville South, and I want to return to that issue. Will the Minister of Correctional Services answer this: Has he ever heard from his colleagues, the members for Brantford or Scarborough Centre, about any concerns they might have had concerning sexual harassment or related activity in any of Ontario's correctional service facilities?

Hon Allan Pilkey (Solicitor General and Minister of Correctional Services): Let me repeat what I said previously and then add to it. We have an assertion about "unresolved issues." We then have the member putting, in his own words, comments that he was "led to believe," and we have all these kinds of—well, I don't want to—

Interjection.

Hon Mr Pilkey: No, that wouldn't be fair—these circumstances that are alleged. I still haven't seen that information that I've all but publicly invited to come across the floor.

There are in fact grievances at Burtch and any number of other correctional facilities, as there are, I would suspect, in all ministries across this particular government. These are grievances by members of the union, and I can't really interfere in these particular matters.

I don't know whether I should be responsible for responding to these kinds of allegations that don't appear to be substantiated. But I think that's the best I can do with that particular question.

Mr Conway: It always helps to listen to the answer, and I think the information is beginning to become even more interesting. I'm now hearing about—let me come back to this—

Hon Floyd Laughren (Treasurer and Minister of Economics): Collect your thoughts.

Mr Conway: Collect my thoughts, because I'm not principally concerned about union grievances. What I'm concerned about is what is now clear: that the entire Ministry of Correctional Services appeared to not only know but was generally very concerned about ongoing and sys-

temic sexual harassment that included, in terrible part, serious allegations of sexual assault of the most hideous kind on or about June 1, 1992. It was everywhere. Everyone knew and many people were concerned, except the minister. We're told he didn't know anything. His staff didn't know anything.

So now I ask again, because the member for Oakville South has raised a new issue. The member for Oakville South has told us that he has some evidence to suggest that two of the minister's colleagues, Mr Ward from Brantford and Mr Owens from Scarborough Centre, in the course of the mandate of the Rae government—

The Speaker (Hon David Warner): Will the member place his supplementary, please.

Mr Conway: —went to the minister, either this minister or his predecessor, with concerns they had in this connection.

My question again is very specific to the minister: In his time as Minister of Correctional Services and/or Solicitor General, has he ever been approached or is he aware of any concerns that the members for Brantford and Scarborough Centre ever had about sexual harassment or related activity in Ontario's correctional service facilities?

Hon Mr Pilkey: In my capacity as Solicitor General of Ontario and Minister of Correctional Services, I have had over that time any number of members of our caucus and government approach me on a wide variety of issues or concerns they would have. In addition, that is not exclusive to this side of the House. Similarly, members opposite, including the member opposite who raises the question—that one I do remember because he particularly is hard to forget—have brought matters to my attention in those dual roles.

As I answered to the member for Oakville South, I will review my file and my information. I suspect that if there were questions, they would be questions with respect to grievances in our particular institutions, and I've undertaken to so check the record. Beyond that, we're left with a lot of innuendo being hurled across the floor this afternoon.

1430

Mr Gary Carr (Oakville South): What would solve this is if we had an inquiry where the public would be able to see. The opposition does not need nor want to go around in the evening and meet with people and receive documents through members of your ministry. What we should be doing is having a public inquiry where people could come forward, and wouldn't need to do it in back rooms to opposition MPPs late at night because they're fearful of retribution.

In some of the discussions I've had, they inform me that the minister specifically was written to. You, Minister, were written to. They also say the problem we have is that this should be coming out in the open, where people can be asked questions, instead of behind closed doors. What was asked and what was given to me is that this minister knew about it. I go on to say that the Premier and Management Board of Cabinet were also, each in turn, written to about these events.

What we are looking at is a problem within the ministry of corrections going back to March 1991. The people involved say they brought this to the attention—the member for Brantford and the member for Scarborough Centre will know about some of these allegations. All they asked for was an independent investigation, because there had been investigations at this facility done by the ministry itself. They said that wasn't good enough; they wanted an independent investigation.

The Speaker: Would the member place a question please.

Mr Carr: My question to the minister is this: Will you clear the air? Will you tell the people of this province that you will have a public inquiry that will go to the extent of looking at all the investigations at all the facilities right across Ontario?

Hon Mr Pilkey: I can only reiterate the response I gave previously, and let me reiterate one other: I still haven't seen that piece of paper come across the floor. It's usually been the practice in this House that when the opposition has something, not only will they tell you but they'll send it over quickly in the hand of a page. I still haven't seen that document.

Notwithstanding having not seen those documents, I'm quite prepared to review my file, as I indicated. If there were any discussions or correspondence with respect to that item, I will be pleased to acknowledge them. If there were, though, on an initial response, I would suggest that the likelihood is that they would have been grievances with respect to that facility, and that is not unusual in our ministry or any ministry within this entire government.

Mr Carr: The problem with this whole situation is the fact that employees are now starting to come forward with allegations at facilities right across this province. What may have happened at Bell Cairn is the tip of the iceberg. People are fearful of coming forward because of the retribution that may come about as a result of some of these allegations. If we had a public inquiry, people would be able to come forward and present what is happening without doing it in the darkness, in the evening, with brown envelopes being sent back and forth to opposition members.

The allegations are very serious. In March 1991, if you had acted, we may not have had the problems we had at Bell Cairn and the tragedies that resulted there. We don't know, but we suspect that if you had taken action earlier, when the ministry knew about this and when parliamentary assistants knew about it and when members of the NDP caucus knew about it, we might have avoided the tragedy that happened at Bell Cairn.

The problem, in speaking with these people, is that they say these tragedies may be going on right across the province in other facilities. We don't know that, and we need to know that. The employees are fearful, the public is fearful—

The Speaker: Does the member have a supplementary?

Mr Carr: Will this government come clean? Will the Premier order this minister to have a public inquiry to look into these investigations so we clear the air, so the opposi-

tion doesn't need to go around at night clandestinely trying to figure out what this government has done?

Hon Mr Pilkey: Mr Speaker, before I respond to the member opposite, could I seek a clarification through you or through Hansard? Did the member say March 1991? What was the date he quoted?

The Speaker: I will allow the member the opportunity to clarify the point.

Mr Carr: Which date?

Hon Mr Pilkey: Well, you said it. I'm asking you what the date was that you said.

Mr Carr: If you like, I will give you the events. The allegations that we talked about were that the member for Brantford—if this is what he's talking about—met just after being elected in the fall of 1990, and that there were meetings held with the parliamentary assistant, the minister of corrections, going back, and I believe the date of that is, according to this, March 1991, and as a result of this, Mr Speaker—and if I'm going to stand, maybe he should sit—

The Speaker: Order. Would the member take his seat. All that was asked for was a clarification of a date. Would the minister respond, please.

Hon Mr Pilkey: Let me say, perhaps a little tongue in cheek, that I can well appreciate why the member opposite is stumbling over his own correspondence and over his own words and doesn't particularly understand what he's even saying himself. I think that's quite self-evident from the response.

I have had meetings with OPSEU and the president of OPSEU with respect to grievances that are within the ministry of corrections. It is no secret that there are grievances there. There have been under Progressive Conservative governments, there have been under Liberal governments, and there are under this particular government. We are quite proactive—

Interjections.

The Speaker: Order. Could the minister succinctly complete his response? No?

New question, the member for Scarborough West.

EDUCATION FINANCING

Ms Anne Swarbrick (Scarborough West): My question is for the Minister of Education. I've received a number of questions from constituents about the cost of our education system. Concerns have been raised with me about the amount of money and staff engaged in administration as opposed to active classroom work. Concerns have been expressed about whether the present structure of the school boards is the most effective and cost-effective system of governance. What are you doing to ensure that our education system becomes truly cost-effective while maintaining and improving its standards of quality?

Mr Ian G. Scott (St George-St David): Do you think you can handle that one, Minister?

Hon Tony Silipo (Minister of Education): I'll try to handle that, to the member for St George-St David.

The question the member for Scarborough West raises is obviously one of the biggest challenges we are trying to deal with within the Ministry of Education and within school boards. I think I can provide a number of answers in terms of some of the work we are doing on the program side, which is continuing some of the work indeed begun by our predecessors around a revamping of the complete program of education, from the early years to the end of high school, and, in looking within that, some of the issues around funding.

One of the things that we have done is to provide a three-year announcement to school boards with respect to the funding of education so that they can be more adequately prepared to plan beyond one year. We also, through the transition funds, are getting some interesting instances of cooperation between school boards in some of the early submissions that we've received. In that way, as well as through some of the examinations that we are beginning to have around some of the governance issues and the relationship between the Ministry of Education and school boards, I think we will be beginning to address some of these issues in a fundamental way.

1440

Ms Swarbrick: I frequently hear also from seniors and others their feeling that property taxes are not a fair way to raise taxes to support our public education system. What can you tell us about the Fair Tax Commission's deliberations on this issue and when is it expected to report?

Hon Mr Silipo: The work that the working group on property taxes from the Fair Tax Commission is doing will be crucial to the work that we want to do within the ministry and the government around the question of establishing a fair system of funding education. We expect a report from the working group in October, a report which will be public and which will obviously inform our opinion and our recommendations with the Treasurer to the cabinet with respect to changes and improvements of the funding system of education. Obviously, one of the guiding principles in that review will be to try to devise a funding system for education that is fair and that addresses some of the inequities that exist as a result of the high reliance on the property tax system which has been there for many years.

MINISTRY TRAINING SCHOOL

Mr Sean G. Conway (Renfrew North): My question is to the Minister of Correctional Services. He has been minister of that department for almost a year. We know that in that period of 12 months there have been within his Ministry of Correctional Services very serious, high-level concerns about sexual harassment and sexual assault at a number of facilities, most especially the Bell Cairn training centre. The minister says he knew nothing, he heard nothing, he read nothing and he saw nothing.

I must say, because the minister responded to me in his last answer, it is true that I went to him in recent days with a particular issue having to do with policing in rural Ontario. He and his staff responded, I thought, in an exemplary fashion. I went to him with an issue around rural policing. That's the issue he was referring to.

We are now told by the member for Oakville South that two of his colleagues, the member for Brantford and the member for Scarborough Centre, have raised concerns about sexual harassment in certain facilities operated by the Ministry of Correctional Services. Has this Minister of Correctional Services ever heard anything from those two members, Mr Ward from Brantford and Mr Owens from Scarborough Centre? Has he ever heard anything or seen anything from them about any concerns they might have had with respect to sexual harassment or related activity in any of Ontario's correctional service facilities?

Hon Allan Pilkey (Solicitor General and Minister of Correctional Services): First of all, because I've been listening to some very disturbing kinds of assertions from the member for night on to a week, I appreciate that he finally acknowledges that I have acted very responsibly, at least to him in his inquiries. That ought to tell him something about the operations of my particular ministries.

I have told this House that I have been contacted by members of this government, by those parties on both sides, on a wide variety of circumstances on any number of matters from policing through to corrections. I believe that I've acted responsibly on any and all that I have had. I am quite willing to check my file with respect to any and all matters. I readily acknowledge there are any number of grievances that have been of concern to different individuals with respect to various facilities, but also I don't believe that is anything different or unusual, as I've said, from any ministry in this government.

Mr Conway: These issues are not about rural policing. These issues are not about cutting ribbons. These are concerns about sexual harassment, and in one specific case, on or about June 1, the allegation is of the most hideous sexual assault committed apparently against female crown employees by other male crown employees on site at a public facility owned and operated by the government of Ontario.

In light of all that was going on in the department of Correctional Services about concerns about sexual harassment—the concern was about sexual harassment at Bell Cairn particularly—with everybody in the department writing and expressing their concern, if any honourable member, particularly any of the minister's colleagues, had raised any concern, it ought to have ignited all of this stuff in his office.

My question: At any time in the year during which Mr Pilkey has been the Minister of Correctional Services, has he ever heard from, orally or in writing, Mr Ward from Brantford, Mr Owens from Scarborough Centre or any other member of his caucus about concerns they had about sexual harassment or related activity at any of the facilities operated by the department of Correctional Services?

Hon Mr Pilkey: The member opposite truly now starts—but he's not alone; he's adjoined by others—to draw a very long bow with respect to this issue. They take the very specific issue of Bell Cairn, which has been acted upon immediately and effectively, and now try to introduce other assertions for which members opposite won't even forward over the so-called basis of their concern.

Notwithstanding that kind of jaded approach, I have undertaken to review my file. I suspect, as an initial response, if there were any matters brought to my attention—and there may well have been—through the variety of our facilities, they would have been with respect to union grievances that would have been dealt with in the normal way and through operational reviews of the facility.

The Speaker (Hon David Warner): New question.

Mr Chris Stockwell (Etobicoke West): To suggest this is a long bow is insulting. First, it's your staff who brought these forward, your ministry officials. Second—

Interjection.

Mr Stockwell: To the corrections minister: (1) They met with ministry officials; (2) they met with government caucus members; (3) they met with the parliamentary assistant to corrections; (4) they would have met with you if they could have. They couldn't get a meeting, so they wrote a letter to you, to the Premier, to Management Board.

What exactly did these bureaucrats, these officials, have to do to get your attention, Mr Minister? They went through every possible step, every possible channel, they could, including meeting with your caucus member, including meeting with the parliamentary assistant. What did they have to do to get your attention—have a bonfire on your front lawn?

The Speaker: Minister of Correctional Services.

Hon Mr Pilkey: Mr Speaker, it's difficult to respond in an appropriate manner to that kind of question.

Interjections.

The Speaker: Order.

Hon Mr Pilkey: There are grievance procedures that are in place with respect to grievances that arise through the Ontario public service. They are dealt with in a very appropriate and programmed way. In terms of meetings with responsible union officials, I have done so, more particularly with the president of OPSEU, with respect to matters of mutual concern in the corrections ministry.

Mr Stockwell: If you're concerned about these said allegations, the parliamentary assistant knows who these people are. Mr Ward from Brantford knows who these people are. They have met with them.

Interjection.

The Speaker: Order, the member for St George-St David.

1450

Mr Stockwell: They have undertaken to pass on the documentation they received from the ministry officials. They undertook to pass this information on to the minister and members in the bureaucracy.

Now the question: First, you told us you reviewed all the files when you released this information. This apparent information was neither reviewed nor released. This damning indictment of the incompetence of this minister and government is a clear sign that a public inquiry is due. When will it be called?

Hon Mr Pilkey: With regard to the matter that arose directly with the announcement from the member opposite of the events at Bell Cairn, all of that information was brought forward, it was made public, it was given to the opposition, police inquiries were called and Judge Hansen was called in to review the matter.

Interjections.

The Speaker: Order, the member for St George-St David.

Hon Mr Pilkey: The centre was closed. All these things have been done. The suggestion now that the opposition is going to stand and pick off and name all the different detention centres in the province and say, "Why wasn't every grievance with respect to those released to the opposition and the media last week?" I think is a ridiculous assertion. It really is.

The Speaker: The time for oral questions has expired.

Mr Conway: On a point of order, Mr Speaker: I want to serve notice under the relevant standing order that I am unsatisfied with the answers provided to me this afternoon by the Minister of Correctional Services on the questions. I'm just serving notice that I am unsatisfied with the answers provided by the Minister of Correctional Services to each of my questions this afternoon. I will look forward to a late show this evening.

The Speaker: To the member for Renfrew North: I trust you will file the necessary document with the table and the necessary arrangements can be made.

Mr Gary Carr (Oakville South): On a point of order, Mr Speaker: I also, in light of some of the concerns that have been outlined over the last period, am unsatisfied with the results that were given today by the Minister of Correctional Services and will also be seeking the same situation.

The Speaker: To the member's point of order: Indeed I trust he will file the necessary document with the table.

Mr Murray J. Elston (Bruce): Mr Speaker, I wish also to file notice of my dissatisfaction with the answers, but I can't, as you've told me before, get on a late show.

On a point of privilege, Mr Speaker: As a result of the very serious evidence that has come forward today, and because of the necessity of our caucus wishing to have a brief meeting in relation to the events that have just come to our attention and other material we have received, we would ask that the House adjourn just briefly, if we could have a 20-minute adjournment and then come back and carry on with the day's proceedings so that each member of our caucus could attend our meeting.

The Speaker: There would need to be a motion to adjourn. Other than that, if there was a request for a recess it would require unanimous approval.

Mr Elston: Can we have unanimous consent, Mr Speaker, so that we may have a brief caucus meeting and be back here in 15 minutes?

The Speaker: There is a request for unanimous consent for a 15-minute recess. Agreed?

Interjections: No.

The Speaker: There is not unanimous agreement.

PETITIONS

ORGANOCHLORINES

Mr Carman McClelland (Brampton North): I have a petition here. It's to the Legislative Assembly of the province of Ontario. It reads as follows:

"Whereas the Ontario pulp and paper industry discharges 50,000 tonnes of organochlorines into Ontario's waterways each and every year despite the availability of technologies which discharge no organochlorines;

"Whereas the Minister of the Environment announced a provincial policy of zero discharge in September of 1991;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Immediately establish a timetable for the complete phase-out of organochlorines from the pulp and paper industry."

I have a number of petitions here, totalling some 1,070 names, and I have affixed my signature thereto.

PROPERTY ASSESSMENT

Mr David Turnbull (York Mills): I have a petition. It is addressed to the Honourable Lieutenant Governor and the Legislative Assembly of Ontario.

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"That the province of Ontario not pass enabling legislation which would allow the Metropolitan council of Toronto to implement market value assessment as presently proposed due to the adverse effect that this would have on the commercial base of Metropolitan Toronto; and

"That the province of Ontario instead recommend a more equitable system of reassessing properties which would encourage not discourage investment in the greater Metropolitan area."

I too have affixed my signature to it.

The Acting Speaker (Mr Noble Villeneuve): I want to remind all members that it's very difficult for the Speaker to make out who wants the floor because of the conversations.

LANDFILL

Mr Charles Beer (York North): I have a petition to the Legislature of Ontario.

"Whereas the Interim Waste Authority has released a list of 57 potential sites in the greater Toronto area as possible candidates for landfill;

"Whereas the decision to prohibit the regions of the greater Toronto area from searching for landfill sites beyond their boundaries is contrary to the Environmental Assessment Act, section 5(3);

"Whereas a willing host community such as Kirkland Lake will not be allowed a proper hearing to consider the Adams mine site as a possible solution to the greater Toronto area garbage issue;

"We, the undersigned, petition the Legislature of Ontario as follows:

"That the Legislature of Ontario remove sites W4B and W4C from any further consideration as a candidate site for waste disposal in the greater Toronto area.

"That the Legislature of Ontario repeal Bill 143 in its entirety and allow a more democratic process for the consideration of future disposal options for greater Toronto area waste, particularly the consideration of sites beyond the boundaries of the greater Toronto area where a willing host community exists who is interested in developing new disposal systems for greater Toronto area waste."

This is signed by some 500 persons and I have signed my name to it.

Mr David Tilson (Dufferin-Peel): I have a petition of 377 names from municipalities throughout my riding, mainly from the town of Caledon. They include Bolton, Palgrave, Inglewood and other municipalities throughout the region of Peel. It's addressed to the Legislative Assembly of Ontario.

"Whereas the Interim Waste Authority has released a list of 21 proposed sites in the region of Peel as possible candidates for landfill, 15 of which are located in the town of Caledon; and

"Whereas the decision to prohibit the regions of the greater Toronto area from searching for landfill sites beyond their boundaries is contrary to the intent of the Environmental Assessment Act, section 5(3); and

"Whereas the government has promised each person in Ontario the right to a full environmental assessment, including the right to a review of all options as it pertains to waste disposal in Ontario,

"We, the undersigned, protest and petition the Legislature of Ontario as follows:

"That the Legislature of Ontario repeal Bill 143 in its entirety and allow a more democratic process for the consideration of future options for the disposal of the greater Toronto area waste, particularly the consideration of disposal sites beyond the boundaries of the greater Toronto area where a willing host community exists who is interested in developing new disposal systems for greater Toronto area waste."

I have affixed my signature to this petition.

CHILD CARE

Mr Jean Poirier (Prescott and Russell): I have here with me 20 sheets of petitions that represent 250 names, people mostly from the Ottawa-Carleton area. There are nine "whereases" that I previously read in the record. It says:

"We, the undersigned, petition the Parliament of Ontario as follows:

"enhance the current child care system by concentrating the available resources for low-income families;

"abandon initiatives towards a universal child care system;

"guarantee that future child care initiatives will give equal recognition to traditional child care options. (Stay-at-home parent or care by a relative.)"

I have affixed my signature to each of the 20 sheets.

LABOUR LEGISLATION

Mr David Turnbull (York Mills): I have a petition signed by many people from my riding of York Mills. It reads:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Whereas the proposed changes to labour legislation will increase job losses; and

"Whereas they will cause a decline in investment in Ontario; and

"Whereas they will seriously undermine the recovery of a sound economic environment; and

"Whereas a recent public opinion poll showed that 83% of Ontario citizens support the withdrawal of those proposed changes,

"That the government declare a moratorium on any proposed changes to the existing labour legislation."

I too have affixed my signature to this.

1500

Mr Steven Offer (Mississauga North): I have a petition to the Legislative Assembly of Ontario which reads:

"Whereas investment and job creation are essential for Ontario's economic recovery,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To instruct the Minister of Labour to table the results of independent, empirical studies of the effect that amendments to the Labour Relations Act will have on investment and jobs before proceeding with those amendments."

That has been signed by individuals who are involved with Health and Safety Consultants Inc of Mississauga and I have signed my name to this petition.

Mr David Tilson (Dufferin-Peel): I have a petition of 375 names from Pickering, Whitby and Mississauga. It's addressed to the Legislative Assembly of Ontario:

"Whereas independent and non-partisan economic studies have concluded that the proposed changes to Ontario labour legislation will increase job losses; and

"Whereas they will cause a decline in investment in Ontario; and

"Whereas they will seriously undermine the recovery and the maintenance of a sound economic environment in the province;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario government declare a moratorium on any proposed changes to the labour legislation in the best interests of the people of Ontario."

I have affixed my signature to this petition.

LANDFILL

Mr Larry O'Connor (Durham-York): I have a petition here to the Legislative Assembly:

"Whereas the town of Whitchurch-Stouffville has traditionally been a mixture of agricultural and residential land, both areas would be drastically affected by a megadump; and

"Whereas the Interim Waste Authority has identified sites in the town that would consume large tracts of class 1 and 2 farm land, the areas identified by the Interim Waste

Authority would severely disrupt the vibrant agricultural community. The farm families in these areas have continued to invest large sums of money into their farm lands. These communities would be destroyed by the Interim Waste Authority by putting in a megadump; and

"Whereas most of the people in Whitchurch-Stouffville depend on groundwater for their drinking water and the dump would threaten their clean water supply; and

"Whereas the effects of a megadump would destroy the local economies of these communities;

"Therefore we, the undersigned, petition the Legislative Assembly as follows:

"We oppose the Interim Waste Authority's proposal to take prime agricultural farm land in the heart of the town and turn it into Metro and York's megadump.

"We further petition the Legislative Assembly to renew their efforts to seek alternatives to landfill and to implement aggressive reduction, reuse and recycling programs."

It's very similar to the petitions from East Gwillimbury and Georgina, and I affix my name.

Mr Carman McClelland (Brampton North): I suppose it would be inappropriate if I asked if the member who just submitted the petition agreed.

I have one that's similar. It says:

"We, the undersigned, absolutely reject the alternative of a Metro Toronto-York region megadump and petition the government of Ontario to immediately reconsider alternatives."

It's signed by a number of people and I have affixed my signature to that.

ORGANOCHLORINES

Mr Carman McClelland (Brampton North): I also have another petition that is very similar in nature to the one I tabled just a few moments ago with respect to the failure of this government to act towards any timetable to work towards zero discharge of organochlorines in the production of pulp and paper in the province of Ontario. I submit that with my signature as well.

LABOUR LEGISLATION

Mr David Turnbull (York Mills): I have a petition addressed to the Legislative Assembly of Ontario:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"This act interferes with the individual freedom of Ontarians;

"Whereas the proposed changes to labour legislation will increase potential job losses; and

"Whereas they will cause a decline in investment in Ontario; and

"Whereas they will seriously undermine the recovery of a sound economic environment; and

"Whereas a recent public opinion poll showed that 83% of Ontario citizens support the withdrawal of these proposed changes;

"That the government declare a moratorium on any proposed changes to the existing labour legislation."

I too have affixed my signature to this.

LANDFILL

Mr Charles Beer (York North): I have a petition signed by some 300 persons:

"To the Legislature of Ontario:

"Whereas the Interim Waste Authority has released a list of 57 potential sites in the greater Toronto area as possible candidates for landfill;

"Whereas the decision to prohibit the regions of the greater Toronto area from searching for landfill sites beyond their boundaries is contrary to the intent of the Environmental Assessment Act, section 5(3);

"Whereas a willing host community such as Kirkland Lake will not be allowed a proper hearing to consider the Adams mine site as a possible solution to the greater Toronto area garbage issue;

"We, the undersigned, petition the Legislature of Ontario as follows:

"That the Legislature of Ontario repeal Bill 143 in its entirety, and allow a more democratic process for the consideration of future disposal options for greater Toronto area waste, particularly the consideration of sites beyond the boundaries of the greater Toronto area, where a willing host community exists who is interested in developing new disposal systems for greater Toronto area waste."

I have signed this petition in support.

LABOUR LEGISLATION

Mr David Turnbull (York Mills): I have a petition signed by 962 people from Waterloo, Dundas, Thunder Bay, Bowmanville, Sturgeon Falls, Huntsville, Walkerton, Sarnia, Port Dover, Port Colborne, Aurora and Claremont and it reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas independent and non-partisan economic studies have concluded that the proposed changes to Ontario labour legislation will increase job losses; and

"Whereas they will cause a decline in investment in Ontario; and

"Whereas they will seriously undermine the recovery and the maintenance of a sound economic environment in the province,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario government declare a moratorium on any proposed changes to the labour legislation in the best interests of the people of Ontario."

I too have affixed my signature to it.

Mr Steven Offer (Mississauga North): I have a petition.

"To the Legislative Assembly of Ontario:

"Whereas independent and non-partisan economic studies have concluded that the proposed changes to Ontario labour legislation will increase job losses; and

"Whereas they will cause a decline in investment in Ontario; and

"Whereas they will seriously undermine the recovery and the maintenance of a sound economic environment in the province,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario government declare a moratorium on any proposed changes to the labour legislation in the best interests of the people of Ontario."

I have signed my name to this petition.

COURT RULING

Mrs Barbara Sullivan (Halton Centre): I have a petition addressed to the Legislative Assembly of Ontario signed by well over 500 people who write to us as follows:

"We, the undersigned residents of Ontario, in support of the mother of Debra Pauline Williams Ellul, draw to the attention of the House the following:

"That the right to appeal the decision made in Debra Williams Ellul murder acquitting Guy Ellul of all charges be granted based on the fact that the decision not to allow the appeal does not accurately reflect the public's abhorrence and unacceptability of the outcome of this trial."

I've affixed my name to this petition.

LANDFILL

Mr Charles Beer (York North): I have a petition signed by some 1,400 persons which reads as follows:

"Durham region is responsible for its own garbage. Peel region is responsible for its own garbage. York region is responsible for its own garbage but will now be forced by the provincial government to house all of Metro Toronto's garbage as well for the next 20 years.

"If we allow this dump site to happen, it will be the biggest dump site in North America. Is this what you would like your community to be most known for? This is an outrageous proposal and it must be stopped. We must prevent this disaster. We are not in favour of dumping Metro's trash anywhere in York region."

I have signed this petition in support.

LABOUR LEGISLATION

Mr Steven Offer (Mississauga North): I have a petition to the Legislative Assembly of Ontario:

"Whereas independent and non-partisan economic studies have concluded that the proposed changes to Ontario labour legislation will increase job losses; and

"Whereas they will cause a decline in investment in Ontario; and

"Whereas they will seriously undermine the recovery and the maintenance of a sound economic environment in the province,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario government declare a moratorium on any proposed changes to the labour legislation in the best interests of the people of Ontario."

I have signed my name to this petition.

1510

ORDERS OF THE DAY

ADJOURNMENT OF THE HOUSE

Resuming the adjourned debate on the amendment to the motion that this House stand adjourned until September 28, 1992.

Mrs Barbara Sullivan (Halton Centre): Mr Speaker, as you know, I had begun my remarks last evening on this motion, and I'd just like to read it, "That on the sessional day on which this motion is carried, when the House adjourns that day it shall stand adjourned until September 28, 1992."

That motion means that if the government insists that this motion be passed today, the House will not sit until the end of September, some months away. The government wants the House not to sit and the Premier wants the House not to sit, and as I indicated yesterday, there is one reason and one reason only, and that reason is Allan Pilkey.

Allan Pilkey is known, as a minister, to be uninformed on the issues, known as a minister who didn't do his homework, known as a minister who could cope with the openings and the celebrations but couldn't cope with much else. We've heard in question period today and yesterday, and the day before that and the day before that, evidence that's very clear of the minister's incompetence. We've also seen that the Premier is allowing that minister to remain a minister, when his ministry was inadequately directed, when he was not undertaking the responsibilities of a minister, when he was not doing what he should have been doing for the public of Ontario.

Bob Rae had the Martel affair, and the House adjourned as soon as additional information came to the floor of the House. Bob Rae now has the Pilkey affair, and the House will adjourn as soon as additional information has come to the floor of the House. Today we've heard additional information relating to the competence, the way this minister handled his responsibilities as a minister, information he had that was presented directly to him, perhaps by his colleagues but certainly in writing, that he refused to act upon and did not pay attention to.

In all of this we have to ask again, as we've asked in the past, what are Bob Rae's standards? We heard a lot about those standards in the throne speech debate. We heard a lot about those standards when Bob Rae served as a member of the opposition. But what are his standards today?

They are very, very different. He hasn't asked or sought the resignation of his Minister of Correctional Services. He hasn't allowed the scrutiny of the House to further investigate the information that's been placed before us today and additional information that may well become available to people in this House and elsewhere. No, Bob Rae's instructions are: "Get out of the House. Let's keep this information under wraps. Let's not let anybody know."

We recall that when the former Minister of Health resigned, one of the reasons she resigned was that changes in procedures in her ministry had been introduced by her that made her directly privy to information from the ministry without the appropriate advice from her officials. We have seen that the Minister of Correctional Services, Mr Pilkey, hasn't resigned, although he too has changed the process in his ministry and that means he is cut off from the appropriate advice from officials. He didn't choose to have that advice. He didn't choose to have that information. He didn't choose to serve as a minister. He didn't choose to

carry out his ministerial responsibilities, and that has become clear and more clear day after day after day.

Mr Pilkey was being paid as a minister. He wasn't doing his work as a minister. Things were occurring all around him that he seemed oblivious to. Why doesn't he resign?

If the Minister of Correctional Services didn't know what this House has been told about sexual harassment by ministry staff against ministry staff on ministry facilities, about property destruction, about staff-to-staff assault, what else was he missing? What else didn't he know?

Some other information has come to light before this House today. We know he's been informed, he's had letters and they've been on his desk. The question is, did he read them? Did he pay any attention to information that was coming to him from his caucus colleagues and from people in his ministry? How could he have avoided taking action that was very clear and very public? What else didn't he know about the responsibilities and the operations of his ministry, for which he has the public responsibility, the responsibility to report to people in Ontario and ensure the adequate and correct operation? What else didn't he know about treatment of inmates in those institutions if he didn't know this information about staff?

This minister has been a minister who appears to run a ministry with the view that one should speak, hear and see nothing; that one shouldn't be involved in meetings with senior officials so that one could be advised on the issues of the day. By eliminating himself as a person and a director at the table, he has in fact indicated to us that he tolerates the things which have occurred within his ministry: the sexual harassment, the destruction of property, the vicious rapes that have occurred among people on his staff. It is absolutely clear to us that he is incompetent in his work, incompetent at his job.

My colleague from Oakville South raised today in the House two other areas that very clearly show why we're going to be out of here, because Mr Pilkey's derogation of his responsibility wasn't limited to his relationships with his officials; it was clearly related as well to his relationships with his colleagues. The member for Brantford, Mr Ward, apparently brought to the attention of the minister information with respect to another institution about staff assault, about sexual abuse, about sexual harassment that was occurring there. The member from Brantford knew who were making the complaints, had that information and took that information further. That information was also shared by the member for Scarborough Centre, Mr Owens, parliamentary assistant to the Minister of Correctional Services at the time. Mr Owens also clearly took that information forward. The information went to the Minister of Correctional Services, it went to the Chairman of Management Board, and that information was placed in written form on the desk of the Premier of Ontario.

What questions weren't asked? What meetings weren't held? How many people were left vulnerable to the tolerance which appears to have been a mark of this minister and this government in relationship to sexual harassment issues?

The Minister of Correctional Services hasn't been doing his job; he shouldn't be paid for doing his job. The information that has come to us in the Legislature makes that so very clear. That's why this motion is on the table. That's why the Legislature will rise—if not today, perhaps Monday, but it will certainly rise—before any further evidence of his incompetence and his lack of responsibility in the direction of his ministry will come to the fore.

I listened to the minister today responding in question period. The minister said he has been nothing but proactive. One of my colleagues leaned over to me and said, "Proactive for Allan Pilkey means being in a stall." Proactive for Allan Pilkey means that sexual harassment in his own ministry, in his own facilities, is tolerated, because there was no action until information came to this place, not when information came directly to his desk, when he had the responsibility to take action for that information as a result of that information coming forward. That's why the House is rising. It has nothing to do with any of the other issues. The issue and the reason for the rising of the House is Allan Pilkey.

1520

There may be another reason that the House is rising. Yesterday we heard the minister responsible for women's issues speak from her heart about the depth of destruction that's involved in these kinds of issues of sexual harassment and sexual assault against women. We also heard her speak with some sanctimony, laying blame on the opposition for these incidents occurring. Frankly, that's the wrong place for blame to be laid. The minister should have been taking action.

Another reason that this House will be rising is that groups like Justice for Women in Hamilton, where the Bell Cairn centre is located, are now coming forward and speaking out. They are demanding the minister's resignation. They are demanding his resignation because they don't believe that he has matched action to words. They don't believe that he has managed his department with any sense of the responsibility that he should have as a minister. They don't believe that he understood the elimination of sexual harassment in any way other than distribution of memos, that there was any other action taken by him to eliminate what is clearly systemic sexual harassment and sexual assault from his ministry.

Justice for Women in Hamilton is the first of many groups. There will be many others. I've had calls in my constituency office about this issue. I'm certain that every other member has or will receive those same calls. Women are outraged. Women see professional people who are employed as crown employees who have been assaulted, raped, harassed, touched and laughed at by people who are their coworkers. Women will not tolerate that. They will not tolerate seeing a minister at the head of a department where these issues have been going on, where there has been knowledge of these issues, of these occurrences, where that information has been on his desk and there is no action.

The minister said, "I've been nothing but proactive." He's been proactive after the event, after information has come to him on the floor of this Legislature. He should

have acted. You're darned right he should have acted. If you don't think that this minister should have acted, then you belong in another world, because there is no other circumstance where the head of any business, corporation, union or ministry, where all of these incidents had been occurring over the period of time over which they'd occurred, where that minister would not have known, where the leader would not have known, where that leader would not have acted. I will tell you, this man didn't act, and he didn't act because he is lazy and he's irresponsible—

Interjection: And incompetent.

Mrs Sullivan: —and he's incompetent too. Other women legislators feel just as angry and upset about this as I do. They know that Mr Pilkey, the Minister of Correctional Services, should not be in that place. He allowed this to go on because he did not act, he did not pay attention, he wasn't doing his job.

When I have to talk to my constituents and justify to them how a minister of this government, any government, could have been in a situation where there were rumours rampant, where there were grievances before officials in his ministry, before union members in his ministry, when I have to explain to them how this minister could not have known, the only way that I can respond is by saying the minister wasn't doing his job.

The minister responsible for women's issues will know that the minister is known for not doing his job, for not attending the meetings, for not meeting with his officials and discussing the issues of the day. That's the only reason that he didn't know: He was not doing his job.

Every time the minister opens his mouth, the tale gets worse. The minister says he can't interfere; he described that today. He says he didn't know, but that he can't interfere is something that is really a matter for some doubt and in fact for some kind of scathing response. Why couldn't he interfere? Any other minister in his position would have interfered lickety-split. Any other minister would have provided direction, would have ensured that these kinds of actions and activities and the surround which allowed them to occur were absolutely removed from the table in the operation of his ministry. He says he can't interfere. He can't interfere when people on his own staff, members of his own bureaucracy, are being assaulted, are being harassed, are being physically and psychologically injured, perhaps for the rest of their days? He can't act? He can't interfere? That is absolute nonsense.

Believe me, the other reason that this House will rise is that women's groups will agree with me that any minister in a circumstance like this who says he can't interfere should know that he's not wanted, that the people of Ontario don't want him, and the Premier should get rid of him right away.

The minister is responsible for his ministry. That means he must take responsibility to this House and to the people of Ontario for his actions and his inaction. His lack of action tells as much as his action does, because there was no action. If there had been action, some of the revelations that have been before this House in the last week and this week would never have been here.

I look at his colleagues in cabinet—the Minister of Citizenship, the Minister of Health, the minister responsible for women's issues, the Minister of the Environment—and I know they believe, just as I do, that this minister did not respond, did not act, was not proactive in dealing with these issues. They were far too widespread. If he'd been doing his job, they wouldn't have been that widespread; in fact, they would have been eliminated.

In the few short minutes that I have to complete my remarks I want to turn to the notion of the cessation of Parliament as a tool for the government to get out of difficult issues or to not face issues which are before us in a public way. We've seen the clear evidence before the House this week and last week that the singular reason the government wants this House to rise is Allan Pilkey.

The government has exhibited such a disdain for Parliament, such an attitude of quelling the issues, of keeping the issues under the table. We saw another example yesterday when the Minister of Health didn't bring to the floor of this House and to the attention of the public decisions that had been made by cabinet to eliminate drugs from the drug benefit plan. No information had gone to senior citizens who are affected, no information had gone to vulnerable social assistance recipients who are affected, and there was a deliberate attempt to keep that information from the House. There was a deliberate attempt not to allow people to be informed.

The consultation was a sham. The consultation on this issue began on May 28. It was to end on June 10—10 days of consultative period with two weekends in the interval. The information was sent to the association heads of the experts that were involved: the OMA, the pharmacists' association, pharmaceutical manufacturers. There was absolutely no time for any broad-based consultation. The information never reached the doctors, it never reached the pharmacists, it never reached the pharmaceutical manufacturers so that there could be legitimate comment. Indeed, that consultation was specifically designed that way. The announcement of the elimination of those drugs from the drug benefit plan was also deliberately shaped so that it would not occur when the House was sitting.

1530

Mr James J. Bradley (St Catharines): They wanted to do it in the middle of the summer.

Mrs Sullivan: They wanted to do it in the middle of the summer, when the public would not be informed through this chamber, when senior citizens might be involved in other matters and their attention might not be on the particular government actions.

The Minister of Health spoke slightly over a week ago to the senior citizens' coalition, knowing that this decision was in the tubes, was in the pipes, knowing that it was going to be made, first of all, last Wednesday, and that the second shoe of that decision would be made within the next couple of weeks, and she mentioned not a word. She had the floor at that convention for a full-blown speech. She didn't raise the issue. She did not mention it one bit. There was nothing on the table.

People over 65 who are eligible for the drug benefits should have had that information. They should have had the information on which to comment, on which to make their views known, on which to be able to discuss with their doctors what other alternatives they had to face, what other alternatives were before them in terms of their own treatment, in terms of their own health care services.

But the minister kept it quiet. It was a deliberate strategy, and that is so offensive, not only to me, not only to other members of this Legislature but to every senior citizen and every person on social assistance in this province.

It follows a pattern: We saw the House rise last time after my colleague the member for Kenora raised the issue of the Attorney General's staff having knowledge and taking part in a deliberate attempt to build support for the Minister of Northern Development and Mines, the minister who says she took a lie detector test to prove that she'd lied, that she was telling the truth when she said she lied.

Today, we have a motion on the floor to ensure that this House will rise in another exact instance of scandal. In this case, the reason for the decision to make this House rise is Allan Pilkey, and if this government thinks that Allan Pilkey will be gone because the House is risen, believe me, he will hang over your heads until he's gone from government.

The Acting Speaker (Mr Noble Villeneuve): This completes the time allotted to the honourable member. Further debate?

Mr Charles Harnick (Willowdale): It's interesting: The Treasurer just told us the reason that we have to get out of here, and his reason was that it's July. Well, I'd like to tell the Treasurer and the rest of the people sitting opposite that most people work in the month of July at their jobs; they don't take all summer off. If there's work to be done we should be here getting this work done and we should do it now.

That is really what Mr Elston's motion is about. Mr Elston's motion has done nothing more than to ask the government to complete the work it told us it had undertaken to do.

Hon Floyd Laughren (Treasurer and Minister of Economics): What a lazy bum.

Mr Harnick: Now the Treasurer's calling me a lazy bum. I'm not offended—

Mr Gregory S. Sorbara (York Centre): I am. You're not a bum.

Mr Harnick: My friend the member for York Centre is sticking up for me. He says I'm not a bum, and I appreciate that.

The Treasurer has a very simple way of dealing with all of these issues. Unfortunately, it's his agenda that we're trying to complete and it's his party that doesn't want to complete that agenda. I find that kind of logic perverse, and the only way the Treasurer can really answer that perversity of logic is to call me a bum. I'm not offended. I understand where it's coming from, I understand the frustration. But I think we should take a look at what we're standing here debating today so that the people watching can understand why we're here in July.

Mr Elston has moved an amendment to Mr Cooke's motion to adjourn the House for the summer. The amendment is

that we don't adjourn the House until second reading of Bill 75, the London-Middlesex annexation, is complete, and second reading of Bill 68, the pay equity bill, is complete, and that on completion of second reading of these two bills the House stand adjourned until September 28, 1992.

The government, in carrying out its business, for some reason wants to introduce time allocation motions. I think this is the third one I've had the opportunity to speak to in the last couple of weeks, probably more than any legislator who has been in this chamber for maybe 20 years. The Treasurer has probably been here longer than anyone and I'll bet he hasn't had the opportunity to speak on this many closure motions, adjournment motions, time allocations motions, in the whole time he's been here.

Hon Mr Laughren: Charlie's right.

Mr Harnick: He finally acknowledges that I'm right. I appreciate that, because that's probably the nicest thing you've ever said to me.

Hon Mr Laughren: Oh, you're a nice guy, Charlie.

Mr Harnick: I appreciate that too. I've gone from a bum to being a nice guy.

In all seriousness, we have a situation where the government has told us it has 121 pieces of business it has to complete. These were what they described as the must-haves. That must-have list has sort of evaporated. It now consists of Bill 40, which has been completed and is now out to a committee, and it consists of Bill 150. I don't know what's going to happen to Bill 150, but we know we had a closure motion last week so that only one member of the Legislature had the opportunity to speak on an important bill in which there were 42 amendments; in a sense, that bill was never even debated. I suspect that before we get out of here we might vote on that or else it would be a tragedy that only one person had an opportunity to discuss this very important bill.

The only other bills that appear to be left on this must-have list of 121 are Bill 75—we began the debate on second reading of Bill 75 just the other day, almost by accident, because I think the government House leader had nothing else to call at that time and he didn't have a closure motion or a time allocation motion hanging so we had to really debate a piece of legislation—and the pay equity bill.

I expect that once my time is done the government House leader will march in here and under rule 45 of our standing orders he'll ask that we vote to get out of here right now. I fully expect that, but I think we have work that has to be done here: We have must-have bills the government has insisted upon dealing with. I will be very interested to see which members of the government are going to say, "Let's deal with pay equity because it's a must-have bill," or "Let's go on vacation." I'll be very interested to see what happens to the London annexation bill, a bill the government must have, a bill that it had to come into this chamber to ask for unanimous consent to get on the docket. Now it's on the docket, and what are they going to do? They're all going to go fishing. I will be very interested to see which government members are prepared to stay and complete this so-called must-have legislation.

I had a discussion recently with the Minister of Financial Institutions and he told me that we just have to have this auto insurance bill. The reason we have to have the auto insurance bill, another one of the must-have pieces of legislation, is because, in his belief—I'm not so sure I disagree with him, and I don't say this critically—the auto insurance companies are making so much money because of the terrible Liberal auto insurance scheme that's been inflicted on the people of this province that he's got to do something to stop the money they're making that isn't getting into the hands of innocent accident victims.

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I'm not prepared to agree that his scheme is going to in fact do that, but the fact is that he was absolutely adamant when he spoke to me that he had to get this piece of legislation on because the auto insurance companies were making too much money, that all they were doing was playing for time, because the more time they could have the more money they were going to make; and then, come October, when he went to introduce it for second reading, they'd be at his door with another excuse as to why he shouldn't proceed with the bill.

As I say, I don't know if I terribly disagree with the Minister of Financial Institutions in terms of his theory—I don't know what the right answer is—but the fact is that he wanted to have this bill now and we're all going fishing.

The government wants to adjourn this place when there is important legislation on the docket, the must-haves, and I'll be very interested to see whether the Minister of Financial Institutions stands in his place today to vote in favour of adjourning this House when he had such strong opinions about why we had to do the auto insurance bill now. I'll be interested to see what he does. I'll be interested to see what the minister responsible for women's issues is going to do when she has the opportunity to stand in her place and vote to adjourn this place or vote in favour of Mr Elston's motion to complete the pay equity bill.

The government can't speak out of both sides of its mouth. They can't tell us in the middle of June that they have 121 pieces of legislation that they haven't introduced in April or May or most of June but have saved for the last two weeks. They can't tell us that they must have this legislation and then get Bill 40 and duck out of here because Mr Pilkey's in a lot of trouble. It's just not right. You're not going to fool the public about why you're trying to leave this place.

Everybody knows this must-have legislation is really not must-have legislation, and everybody knows that all you wanted to do was come up with a scheme to get Bill 40 through the Legislature. I might tell you that the architect of your scheme probably did about the sloppiest job anybody could ever devise in terms of trying to get that bill through the Legislature. I've got to tell you, you people look bad—very, very bad.

You're not going to fool anybody. You're not going to convince anybody that the must-haves were real must-haves. All you wanted to do was get Bill 40 finished, you wanted to get it out of here, you changed the rules to do it, and now the Minister of Correctional Services is just burying himself in question period and you're absolutely as

anxious as can be to shut this House down. It's just as simple as that. The must-have legislation takes a back seat to the problems that the Minister of Correctional Services now finds himself in.

The member for Halton Centre, who just spoke, made a very interesting observation. When we left here for the Christmas break, we left here under the cloud of the Martel situation, the minister who admitted lying, who took a lie detector test and proved that, yes, in fact she was lying. We left here under that cloud. Now it appears that we're going to leave here under a cloud that is every bit as black as the cloud we left Minister Martel under.

Now we're going to see what transpires. We're going to see if the government really wants to come clean. It would be very easy for them to do that. It would have been very easy for the minister to have stood in his place today and acknowledge that we have a problem in the ministry of corrections, and the problem is that in very many of the institutions within that ministry there is a form of systemic sexual harassment. The minister could very easily have said that he would have a proper inquiry into those institutions and into his ministry.

Did the minister offer to do that? The minister did quite the contrary. The minister, because I suspect he's been coached by the spin doctors in the New Democratic government, took a bunker-mentality approach to that problem.

Hon Gilles Pouliot (Minister of Transportation and Minister Responsible for Francophone Affairs): That's tough to take, even from this side of the House.

Mr Harnick: The Minister of Transportation says that's very hard to take, but the fact is that we heard today that there is systemic sexual harassment that appears to be prevalent in a ministry. It may be hard for the Minister of Transportation to take the fact that his friend the Minister of Correctional Services is in some hot water because of it, but the minister of corrections could help us all out by saying: "You know, there really is a problem here. Maybe I didn't read my briefing papers as carefully as I should have."

When those people came to him, the member for Scarborough Centre and the member for Brantford, to advise him what those problems were and to advise the Ministry of Correctional Services's deputy minister what those problems were, maybe the minister would say: "You know, we really do have a problem here. Sexual harassment is something that we cannot tolerate as a government."

I know that's the feeling of this government. I don't deny that for one moment. I don't deny the good intentions of this government in dealing with that evil problem for one instant. But the fact of the matter is, we should be having a full-blown inquiry. The reason we should be having a full-blown inquiry is not necessarily to be looking into the conduct of the minister or the lack of action by the minister at the appropriate times. The reason we should be having the inquiry is so the public can see that this is a problem that exists, it's a problem that's wrong and it's a problem that this government collectively, the government side and the opposition side, is doing its utmost to make

public and to eradicate. That's the reason we have to have a public inquiry.

What do we have? We have a minister and a government led by Deputy Minister Piper and Deputy Premier Piper and we have a government that has a mentality to bunker down and try to weather the storm. I tell you, that is not in the best interests of the people of Ontario. I don't think there's anyone on the government side who would acknowledge otherwise. The fact of the matter is that we should be having an inquiry—I'll say it again—not necessarily to examine the actions or inactions of the minister; the reason we should be having this inquiry is so that we can examine the systemic sexual harassment that appears to exist in a very significant way within the Ministry of Correctional Services.

We should make this a public examination so that the public can see that we as a collective group, both government and opposition, are opposed to this kind of behaviour, that there is zero tolerance for it and that we will try to educate the public about the evils of sexual harassment at the same time as we have a full-blown public inquiry. That is what the opposition parties are after.

The government can portray us as being as sinister as they want. They can make us out to look like the most sinister people in the world. But the fact is, we care about this issue. They do not have a monopoly on caring about women, on caring about the disadvantaged. When we stand here in question period and the government squirms, we stand here with the very best of intentions, but the government only wants to do one thing. They only want to get out of this place. They want to get out of this place without dealing with those significant issues, one of which is the issue that the Correctional Services minister now finds himself dealing with.

You can portray the opposition as ineffective, you can ignore us, you can yell at us, but the fact of the matter is that we care about that issue. We care about that issue as much as you do. We should stay here and hammer out the terms of a proper inquiry, and the Premier should back off and should review what he said. The minister himself should review what he said so that we can have that proper inquiry and we all can do the right thing. The right thing here is not necessarily the attack on the minister's action or inaction, but it's the fact that we have a very significant problem within a ministry.

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Just to carry on, as I said earlier, this is my third opportunity in less than three weeks to be able to speak on adjournment motions, closure motions or time allocation motions, more than probably the most senior member of this House, the Treasurer, has ever had the opportunity to do in over 20 years in this place.

Just so that people watching can understand what's going on here, the government, through its inactivity, presented virtually no legislation for this assembly to pass or to debate during the month of April, during the month of May and during the month of June. In the latter part of June, the government then delivered what I think were about 121 pieces of legislation. Among those was the

crown jewel of their whole regime, and that's the Bill 40 labour legislation.

They delivered that among those 121 pieces of legislation, and they then decided they would have to debate it. They don't want to debate these things. They don't want opposition. They don't want a critical approach to anything they do. They just want to ram things through here without hearing any opposition, without hearing any criticism, without hearing any mechanisms to make a piece of legislation better.

They brought this piece of legislation forward, and the idea was that they were going to ram it through, and almost at exactly the same time as they brought that piece of legislation forward, they brought in the new rules of the Legislature that they were proposing. They took their gun and they put it to the opposition's head, and the opposition was told, "Either accept these draconian new rules or negotiate and come up with another package."

Under those circumstances, the opposition parties did negotiate and they did come up with a package that was better than what the government originally provided. It wasn't great, but it was better than what the government provided. It was certainly bad enough that if the Treasurer was sitting on this side of the House and something like that had happened, we'd have had to peel him off the ceiling if someone was to tell him that we were going to have rules in this Legislature that would limit him to 30 minutes of debate. I've read the Hansard and I've read some of the long and detailed speeches the Treasurer made over a period of 20 years.

Hon Mr Laughren: I was never long-winded.

Mr Harnick: I'm not saying the Treasurer was long-winded, because you're only long-winded if you're saying nothing over a long period of time and the Treasurer as an opposition member was a constructive opposition member who stood for many hours on important pieces of legislation and spoke, and I tell you, Mr Speaker, he would not ever have accepted the idea that he would be restricted to 30 minutes of debate on important pieces of legislation.

Nevertheless, the government had to get those rules through this Legislature because it had to get its Bill 40 through so its members could go home for the summer. They then went ahead and passed the new rules. With a gun to our heads, we did the best we could to come up with the best package that we could live with, and that was done.

We now have a situation where the new rules are in effect. We have a situation where the government now had an opportunity and the right to bring in time allocation and where it had the right to limit the number of hours of debate any member could engage in. We now have a situation where we have new rules and we have a piece of legislation that, to say the least, is a controversial piece of legislation. It's a piece of legislation that every worker and every employer in this province is concerned about.

They're concerned about it because the employers know it's going to cost jobs and the workers know their jobs may be the ones that are affected. We now have this

dastardly piece of legislation, and the government now has the new rules. They figure that in a skinny minute they will have this rammed through the Legislature and Mr Mackenzie, the Minister of Labour, can go on vacation with a big smile on his face.

Hon Bob Mackenzie (Minister of Labour): I'm always smiling.

Mr Harnick: He says he always smiles. Mostly, when he looks at me, I see him scowling. Nevertheless, he is smiling today.

We now have this scenario, and that's the scenario I want the people who are watching to understand. What does the government do as soon as it calls this piece of legislation? It brings a motion to allocate time. Immediately upon the piece of legislation being called, they bring a motion to limit the amount of time in which this very significant piece of legislation can be debated. They go ahead and limit the amount of time.

This is the first foray into the new rules, which we were told only weeks earlier will be used sparingly. "We will very seldom use that time allocation rule," which I might tell you, Mr Speaker, takes away your discretion. It doesn't provide you any discretion if you believe there hasn't been enough debate. So we now have time limits on how long individual members can speak and we now have a motion on the most significant government bill we're going to see here over its tenure. We now have a time allocation motion to limit the debate on that bill.

What happens? Lo and behold, we debate and we waste more time, because they don't want to call the bill. They'd rather argue about time allocation. So we have to have a time allocation motion and the debate therefore is limited.

A great many people who represent ridings in this Legislature did not have the opportunity to stand in their places and speak on this very significant bill. I say that not only about opposition members but about government members as well. Government members didn't have the opportunity to stand in their places and explain to their constituents why this bill is good or bad for them.

We now have this scenario, we now have this scene being set and we now have this first foray into the new rules. In fact time was allocated based on how many hours the debate would have left, and ultimately, within a matter of days, Bill 40 was rammed through this Legislature.

Then we got to Bill 150. This is the second foray into the new rules. This time the government did something a little different. We were in the middle of debating Bill 150 under the new rules. My friend the member for Scarborough-Agincourt debated on behalf of his party and, according to those rules, he made a 90-minute speech. The baton was then passed to my party. The member for Carleton got up and began to speak, and after 15 minutes the debate was cut off, with assurances from the Speaker that day that he would be able to continue debating and he would get his full time.

At the same time, we have the next time allocation motion, but it really wasn't a time allocation motion at all. It was a motion that said: "We're invoking the provisions

of rule 44a(a) and we're not allocating any time. We just want to have the debate shut down." The Speaker, much to my disbelief, in spite of the fact that this motion demands time be allocated, allowed that motion as if it were a closure motion.

I tell you, Mr Speaker—I don't say this in any way so as to give the impression that I'm challenging the Chair, because that's already water under the bridge—that very decision is going to have the gravest ramifications for every member who sits in this Parliament in years to come. I can tell you, Mr Speaker, that a number of the people sitting in this Parliament and living by that decision are now members of the government who, after the next election, I can assure you, will be sitting in the opposition. They will be howling about the use of those rules.

That doesn't seem to bother them now, because the role of opposition, something they perfected over a great many years, doesn't mean anything any more. The significance of being in opposition doesn't mean anything any more.

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The idea of having legislation on the docket debated as quickly as possible and rammed through this place makes a mockery of the new rules, which they told the opposition would be used sparingly, which they never indicated would be used improperly.

They then went ahead and did exactly what they told us they would never do, so that we've had two pieces of legislation in a row immediately following the new rules and on both pieces of legislation, despite assurances that closure and time allocation would seldom be used under these rules, we've now had two bills in a row that we've had rammed through this place without any meaningful debate.

It's all based on a matter of trust. We were told: "Trust us. We will seldom use this." Well, I can't personally rely on your trust. Having seen the way the rules have now been used, I will bet this will be the pattern this government uses from now until the end of this parliamentary session. The public is going to have legislation rammed down its throat. It's not the opposition that's going to have the legislation rammed down its throat; it's the public. The public are the people who are going to suffer with this legislation that you won't allow meaningful debate on, that you won't accept any amendments on.

Because of that, when the next election rolls around, it's going to be the public that says, "They rammed this down our throats and therefore they will never get my vote again." Everywhere I go in my riding, that's what people are saying to me. They're saying: "How much longer do we have to have this government? Is there anything you can do about it? Why do they keep ramming things down our throats?" That's what is now occurring out in the public. I know this government has lost touch with the public.

I've only got nine seconds left, but I'd like to say one more thing, and that's that I fully expect that when this debate goes back to the government side, they will be moving closure. I wouldn't be a bit surprised.

The Acting Speaker: Thank you. This terminates the member's time. Further debate? The honourable Treasurer.

Hon Mr Laughren: It's with considerable pleasure that I rise to engage in this debate this afternoon. The members will all know, of course, that we are debating a motion to adjourn the House and come back again on September 28. Contrary to what some members opposite said, including my good friend the member for Willowdale, who indicated that—

Mr Harnick: Take that back now.

Hon Mr Laughren: I take back what I said earlier.

Mr Harnick: Your apology is accepted.

Hon Mr Laughren: Right, and I'll never again say he's a good friend.

Contrary to what some have said, the adjournment motion that's been placed before the House this afternoon is not to give anybody a holiday. The members opposite work just as hard as members of the government. When the Legislature is not in session, the vast majority of members are either serving on committees of this assembly or they're back in their constituencies doing the work of their particular ridings. I think that is almost without exception. Certainly members do that if they're here for a second term. I think that it's inappropriate to characterize the motion as an attempt by the government to go fishing or to have a holiday. That's simply not the case.

Having said that, this is July 23, and it's about a month later than we would normally be sitting. I think it's most appropriate that we adjourn, and contained in the motion is the recall date of September 28, so I think we will get back on schedule then.

When this spring session began we said to the people of Ontario and to members of this assembly that we had an agenda for economic renewal, for justice and for equity. We went at least some small way to delivering on that agenda. Of course, no government delivers its entire agenda in one spring session, but I feel we made some progress on those matters of economic renewal, justice and equity. I think those are important priorities for this government.

I would like to take the opportunity of highlighting a few of the things we accomplished in this session.

Through the Ontario budget we launched the Jobs Ontario funds, which in total would create about 23,000 jobs this year alone. On top of that, there was capital spending in all the ministries, what's known in government as the base expenditures of capital throughout government, for another 67,000 jobs. Then, in response to our equity priority, we set up a special youth employment fund which created another 8,800 jobs—oversubscribed, the fund, already as a matter of fact.

As a result of that, this year alone this government will make a contribution to the Ontario economy of almost 100,000 jobs. That is a major commitment to the economy at a time of a severe recession and at a time when the revenues of this government are flat. I think it was not less than we should have done. We should have done that and we did it, even though there was enormous pressure from

members opposite not to spend that much money. But I really believe we had an obligation to job creation.

Prior to the budget being brought down, we held a large number of consultations with the public. During those consultations people told us: "We want you to do something to create jobs in this province. We want you to keep the deficit in check. We want you to maintain the essential services to which we've become accustomed in this province." I believe we did all three. Never enough, of course, but I really believe that given the times, we did as much as anyone could expect of us, given the revenue problems.

We passed worker ownership legislation that finally, in this province, will provide working people with an opportunity to invest in their economy. That to me was an important step forward.

Mr Murray J. Elston (Bruce): Your guys may vote against it.

Hon Mr Laughren: Well, of course, anything is possible.

We introduced that legislation and it's before the House. We introduced very important legislation to amend the Ontario Labour Relations Act. Perhaps I could take a moment and express my gratitude and admiration to the Minister of Labour who brought forth amendments to the Ontario Labour Relations Act, an act that had not been amended in over 15 years, and is long overdue for the working people in this province to make their investment in this economy.

We responded to changing public opinion by introducing legislation to allow Sunday shopping in this province, an issue that has bedevilled all three governments in the last 10 or 15 years. It has been an enormous problem. Quite frankly, it's no secret in this chamber that all parties within themselves have differing opinions on the whole question of Sunday shopping.

Mr Bradley: I think Mel Swart is on the phone. Mel is on the phone.

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Hon Mr Laughren: Well, of course, people have differing opinions; I don't deny that.

We responded to the report by Stephen Lewis on racism with a number of anti-racism measures.

We introduced the first mandatory employment equity legislation covering both the public and the private sectors in Canada. I believe it'll be a model that other jurisdictions will follow in the months and years to come.

We launched the Jobs Ontario Youth program, 8,800 jobs, oversubscribed.

Mr Sean G. Conway (Renfrew North): And we bought the triple E Senate. Who would've thunk it?

Hon Mr Laughren: We're proceeding with a number of pieces of advocacy legislation that will empower vulnerable adults, long overdue legislation as well.

Mr Conway: Bob Rae lost a poker match with Don Getty.

Hon Mr Laughren: When I hear members opposite complain about the legislation, they had the opportunity to introduce these pieces of progressive legislation and chose

not to do so, despite being in office for five years. We've decided to move on those progressive pieces of legislation.

Mr Conway: Bob Rae was outsmarted by Don Getty. Think about it.

The Acting Speaker: Order, please. The Treasurer has the floor.

Hon Mr Laughren: The dyspeptic dilettante from Renfrew North persists in heckling me over the constitutional talks that have been going on for some time, talks in which the Premier of this province, I'm proud to say—

Mr Conway: Has been outsmarted by Don Getty and Floyd knows it.

Hon Mr Laughren: —has played a major role. It's fine for the member for Renfrew North to say we were outsmarted. At least the Premier of this province—

Interjections.

The Acting Speaker: Order. Interjections, as all members know, are out of order.

Mr Bradley: On a point of order, Mr Speaker: I think it's extremely unfair for the member to use words we don't understand. I ask if he would explain the terminology he utilized just a moment ago.

Mr Conway: On that point, Mr Speaker: I understand it and I'm not at all offended.

The Acting Speaker: Thank you. The honourable Treasurer has the floor.

Hon Mr Laughren: I'm sure I'm not the first person to call the member for Renfrew North a dilettante; dyspeptic, perhaps, but not a dilettante.

Mr Conway: Mitch Hepburn once called George Drew the dyspeptic son of Mars.

Hon Mr Laughren: I would not refer to the member for Renfrew North in that way.

The point I was trying to make before the heckling began was that this session has been a difficult one in which the mood in this assembly has not been pleasant, quite frankly, for much of the time. I appreciate the fact that feelings run very high and members care about the legislation that comes through. They care about the rules changes that were introduced and passed in this Legislature as well. But I don't believe for a minute that any party in this assembly would not have proceeded with similar rules changes, given what the opposition was doing to our attempt to govern in this province.

I know the opposition does not like the rule changes. I would even refer to them as mood-altering rules, as a matter of fact, the way the members in the assembly behaved once they were introduced and passed. But I believe, and I suspect that all members in their quieter moments would agree, that government has an obligation to deliver on its agenda and to pass legislation with dispatch after lots of opportunity for debate.

I hear the nonsense about the Ontario Labour Relations Act. The Ontario Labour Relations Act has been through first reading and second reading. This is after a year of discussion papers out there. It is now going out to committee hearings for five weeks. That is ample opportunity for people

to have their views known. I do not believe people in this province expect that any legislation should have unlimited debate. I think that is an inappropriate expectation on the part of the opposition.

Mr Conway: But three and a half months from start to finish is obscene by any of our standards. That's what I object to.

Interjections.

The Acting Speaker: Order, please. The honourable member for Renfrew North, please.

Mr Conway: I'm sorry, Mr Speaker. I do apologize, but the fact is—

Interjections.

The Acting Speaker: Order. The honourable Treasurer has the floor. Interjections are out of order, and it's very difficult for the Speaker to hear what the Treasurer is saying.

Hon Mr Laughren: Thank you, Mr Speaker. I was not attempting to be provocative. I know the member for Renfrew North saw my remarks as provocative, but I think that reflects more on his view of the legislation that we were dealing with than on the rules that apply to its debate.

I think there is nothing untoward about the length of debate we've had on the amendments to the Ontario Labour Relations Act. I would remind members that there were discussion papers for about a year on that proposed legislation. The legislation was brought in, debated—it was introduced for first reading and debated on second reading. Now it goes out for five weeks of public hearings and then—

Mr Conway: In August, in the middle of the night.

Hon Mr Laughren: There is absolutely nothing unusual about debating bills in the summertime. I've chaired committees of this Legislature that had controversial legislation on their agendas and travelled in the province during the summer, hearing presentations. That's exactly what we're doing with the amendments to the Ontario Labour Relations Act.

Interjections.

Hon Mr Laughren: Mr Speaker?

The Acting Speaker: Order, please.

Hon Mr Laughren: I know the members opposite do not want to see changes or amendments to the Ontario Labour Relations Act, but those changes are long overdue and we are determined to proceed. I understand the members opposite. They are in an ideological frenzy over amendments to the Ontario Labour Relations Act, and that is unfortunate, but I can tell you that we have an obligation to update the legislation concerning the Labour Relations Act.

Mr Conway: Give me one example of another bill of that size.

Hon Mr Laughren: I gave the member a couple of examples—

The Acting Speaker: Order, please. Would the honourable Treasurer address his remarks to the Chair? That may help to some degree.

Hon Mr Laughren: Thank you, Mr Speaker. I don't want to carry on with the debate, because it's not contrib-

uting to the orderly conduct of affairs here this afternoon. I do simply want to say that I understand the opposition of the members opposite to the rules changes. I appreciate that. But I would warrant a guess that if the government were to change some time in the future, the rules wouldn't. Who knows whether that will be the case, but that would be my suspicion because I believe the rule changes were necessary for the orderly conduct of business in this House and to allow any government to deliver its agenda and to function in an orderly manner.

Before I sit down, in anticipation and in hope that we are going to have an adjournment—we'll see—I did want to express my appreciation to the members of my caucus for their contributions to debate and the management of the province's affairs since this session began. They've done a wonderful job. I'd also like to express my appreciation to members of the opposition, Her Majesty's loyal opposition, who have done their job. While I may not have agreed with the way in which they've done it from time to time, they didn't appreciate my behaviour when I was in opposition either.

I think the hour of the day has come when I should ask you, Mr Speaker, that the question now be put.

1620

Mr Elston: On a point of order, Mr Speaker: I presume, although I don't think the government party now needs any standing orders at all, that the gentleman is moving under standing order 45. Mr Speaker, I wish to bring to your attention the fact that there has not been the necessary debate carried on to this stage, that there have been but two speakers in our party, two speakers in the Conservative Party and but one speaker and a part of a speech by the second speaker for the New Democratic Party to deal with this motion.

Interjection.

Mr Elston: He's not finished with his time. It's one speaker and a part of a speech.

Mr Speaker, I wish to bring to your attention the fact that there is a whole series of other very important issues for us to examine as we deal with this very important motion to take this House out of its capacity to do business in this province.

We have already talked about the fact that the 121 pieces of legislation, not all of which have been introduced even now, were laid out by the government House leader as the reason for bringing in the new rules. They are now resorting to the old rules to shut us off.

But, Mr Speaker, it seems to me that in order for you to find that this motion being brought forward by the Treasurer of this province, after he has made some interesting remarks—some of them would be described as session-ender remarks, I believe, or the people who crafted those for him. Some of them would be his own words. It is not yet time for us to have this motion made, because we have been unable to examine the real reasons why this government wants out of here.

It seems to me, Mr Speaker, that you should bear in mind the suggestions of the previous occupant of the chair today, in his incarnation yesterday as we dealt with the

possibility of a closure motion, saying, "There will be ample time for all members who are recognized to speak to give their case," basically saying that there would be almost unlimited time and that he felt there should be a very broad opportunity for as many people as possible to speak.

We have had but six speakers to this particular motion. Having 130 people who might possibly speak, six speakers are very few indeed when it comes to representing the public business of this place and whether or not this forum should carry on.

It is not that we have not been here for some time. But you would recognize, Mr Speaker, that we began this session a full one month after we were originally scheduled to come here because the Premier of the day—and the Treasurer, in fairness; it wasn't just the Premier—were concerned about the financial arrangements with respect to this province because they had been unable to put together a consistent fiscal plan to take care of the disaster of the first budget year which had been processed by the member for Nickel Belt. They came back a month late. We have sat and made up just about the same amount of time.

But, Mr Speaker, it is apparent to me that, but six members out of 130 having spoken, it is much too early for you to find this motion in order today.

The Acting Speaker: The honourable member has made his point.

Mr Ernie L. Eves (Parry Sound): On the same point of order, Mr Speaker: Very briefly, I would ask you to take into account, when you're making your decision with respect to this closure motion which has been moved, the precedent in this place with respect to the number of hours and number of speakers required before closure has been deemed to be in order in the past.

By my calculation, there's been somewhat of two-plus hours of actual debate time on this particular motion before the House. I would acknowledge there were two 30-minute bells yesterday but that is not debate. There have been six speakers. I would like to point out to you that, for example, on December 9, 1982, a closure motion was ruled to be in order after five hours of debate and some 10 speakers. I would also like to point out to you that on May 9, 1990, on a similar closure motion, there were 104 hours of debate and 26 speakers. I would ask you to bear this in mind when you are deciding whether or not this motion is in fact proper at this time.

Hon David S. Cooke (Government House Leader): On a point of order, Mr Speaker: Very briefly, I think the Speaker in making his ruling on this motion has to take into consideration a couple of points. First of all, I think you must be aware of the fact that we are debating a routine motion. This is not a piece of legislation. This is not a major issue. This is a routine motion that normally in the Legislature passes without debate at all.

Second, we have had at this point seven speakers involved on a routine motion. The discussions at this point now have nearly gone on for four hours on a motion that usually takes 30 seconds.

Finally, on the point that the House leader for the third party has made in terms of the actual debate time, the fact

of the matter is, it is relevant that at least an hour yesterday of time that could have been spent debating this motion was spent with the bells ringing because the third party and the official opposition decided to adjourn the debate in an attempt to adjourn the debate for a second time. That is a relevant factor. It's clear that this is a routine motion and that the motion for closure is in order.

The Acting Speaker: The Speaker will deal on the motion prior to the point of privilege. After due consideration—I thank the honourable members for having brought forth their arguments—the Chair is now ruling that Mr Laughren's motion is in order and that the question now be put.

1659

NOTICES OF DISSATISFACTION

The Deputy Speaker (Mr Gilles E. Morin): Will the members please take their seats. Before we take the vote, pursuant to standing order 33 the member for Renfrew North has given notice of dissatisfaction with the answer to his question given by the Minister of Correctional Services concerning the Bell Cairn and Burtch matters.

Pursuant to standing order 33(a), the member for Oakville South has given notice of his dissatisfaction with the answer to his question given by the Minister of Correctional Services concerning the Bell Cairn investigation.

Pursuant to the same standing order, the member for Renfrew North has given notice of dissatisfaction with the answer to his question given by the Minister of Correctional Services concerning the minister's role in the ministry.

ADJOURNMENT OF THE HOUSE

The House divided on Mr Laughren's motion, which was agreed to on the following vote:

Ayes—67

Akande, Allen, Bisson, Boyd, Buchanan, Carter, Charlton, Christopherson, Churley, Cooke, Cooper, Coppen, Dadamo, Drainville, Duignan, Ferguson, Fletcher, Frankford, Gigantes, Grier, Haeck, Hampton, Hansen, Harrington, Haslam, Hayes, Hope, Huget, Johnson, Klopp, Kormos, Lankin, Laughren, Lessard;

Mackenzie, MacKinnon, Malkowski, Mammoliti, Marchese, Martel, Martin, Mathysen, Morrow, Murdock (Sudbury), North, O'Connor, Perruzza, Philip (Etobicoke-Rexdale), Pilkey, Pouliot, Rae, Silipo, Sutherland, Swarbrick, Ward (Brantford), Ward (Don Mills), Wark-Martyn, Waters, Wessinger, White, Wildman, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Winniger, Wiseman, Wood, Ziembra.

Nays—31

Beer, Bradley, Brown, Callahan, Carr, Conway, Cunningham, Eddy, Elston, Eves, Grandmaitre, Harnick, Henderson, McClelland, McLeod, Mclash, Offer, O'Neil (Quinte), O'Neill (Ottawa-Rideau), Phillips (Scarborough-Agincourt), Poirier, Ramsay, Ruprecht, Scott, Sola, Sterling, Stockwell, Sullivan, Tilson, Turnbull, Villeneuve.

Interjections.

The Deputy Speaker: Order. It's your time; I'll wait.

Interjections.

The Deputy Speaker: Order. The member for York Mills and the member for Renfrew North, please.

We will now go to the original motion that was introduced by Mr Cooke, which reads as follows: "that on the sessional day on which this motion is carried, when the House adjourns that day it shall stand adjourned until September 28, 1992."

Would the members like to take the same vote?

Interjections: No.

1735

The House divided on Mr Cooke's motion, which was agreed to on the following vote:

Ayes—66

Akande, Allen, Bisson, Boyd, Buchanan, Carter, Charlton, Christopherson, Churley, Cooke, Cooper, Coppen, Dadamo, Drainville, Duignan, Ferguson, Fletcher, Frankford, Gigantes, Grier, Haeck, Hampton, Hansen, Harrington, Haslam, Hayes, Hope, Huget, Johnson, Klopp, Kormos, Lan-kin, Laughren, Lessard, Mackenzie, MacKinnon, Malkowski, Mammoliti, Marchese, Martel, Martin;

Mathysen, Morrow, Murdock (Sudbury), North, O'Connor, Perruzza, Philip (Etobicoke-Rexdale), Pilkey, Pouliot, Silipo, Sutherland, Swarbrick, Ward (Brantford), Ward (Don Mills), Wark-Martyn, Waters, Wessinger, White, Wildman, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Winninger, Wiseman, Wood, Ziemba.

Nays—32

Beer, Bradley, Brown, Callahan, Carr, Conway, Cunningham, Eddy, Elston, Eves, Grandmaitre, Harnick, Henderson, McClelland, McLeod, Miclash, Morin, Offer, O'Neil (Quinte), O'Neill (Ottawa-Rideau), Phillips (Scarborough-Agincourt), Poirier, Ramsay, Ruprecht, Scott, Sola, Sorbara, Sterling, Stockwell, Sullivan, Tilson, Turnbull.

The Speaker (Hon David Warner): Orders of the day.

Mr Robert V. Callahan (Brampton South): On a point of privilege, Mr Speaker: In my other life I—

Interjections.

The Speaker: Order. Could the member succinctly state his point of privilege.

Mr Callahan: My point of privilege is this: Over the years I discovered that in the correctional system women were very often incarcerated for crimes such as bad cheques and minor crimes. Most of them were because they were trying to support their families. I was appointed by my leader as critic of correctional institutions and I have a very significant interest in this. I took on that role, and immediately upon taking it on I wrote to every institution in Ontario.

At first I got a very receptive response: "Yes, we would like to see you. Come see us." It was then followed by letters saying, "You can't see us unless you go through a specific person in the ministry or the minister's office." I was therefore blocked in my role as critic of corrections in terms of carrying out the function I was responsible for as a member of the official opposition. I was most specific-

ally concerned as I sat here and listened to what went on in this House in terms of the statements by the Minister of Correctional Services in terms of how particularly women were being dealt with.

Mr Speaker, I want you to look into this matter. My role as critic for corrections requires that I be allowed access to correctional facilities to have an opportunity to make those observations myself. I can tell you that in my professional career I visited correctional institutions and I believe there is a very significant problem there most specifically with women. They are in fact at the mercy of being housed in there under the power of the correctional facilities.

I'm asking you, Mr Speaker, to look into the issue to ensure that I will have free access and not be prevented by the minister's office or the political people from going into the correctional facilities to examine the facilities.

The Speaker: To the member for Brampton South: Indeed I appreciate the point of privilege he has raised. I will have to reserve on this. As acknowledged, the House is expected to rise today, but I will endeavour to get back to the member personally as quickly as I can with a response to him.

Mr Murray J. Elston (Bruce): Mr Speaker, I know the next order of business will be the vote on third reading of Bill 150. I know that as soon as it is moved under the closure motion that was brought here and sanctioned by your chair nothing else can take place on that issue, but I ask again, because it was raised by the Speaker who was in the chair at the time the member for Carleton was speaking, that we have unanimous consent for the member for Carleton to resume the debate. This of course, Mr Speaker, was something you had suggested could be done. I suggest in fairness, since there has been not a full speech at all made by one member of the third party, that unanimous consent from the government for the completion of this speech would be in order before we vote on the bill.

The Speaker: To the member for Bruce: Indeed he has correctly identified the situation. It would be appropriate to ask for such consent at the point when the order is called, not prior to it being called. I have asked for orders of the day. When that's called forward, indeed it would be appropriate for someone to request the unanimous consent he has identified.

LABOUR SPONSORED VENTURE CAPITAL CORPORATIONS ACT, 1992

LOI DE 1992 SUR LES CORPORATIONS À CAPITAL DE RISQUE DE TRAVAILLEURS

Resuming the adjourned debate on the motion for third reading of Bill 150, An Act to provide for the Creation and Registration of Labour Sponsored Venture Capital Corporations to Invest in Eligible Ontario Businesses and to make certain other amendments / Loi prévoyant la création et l'inscription de corporations à capital de risque de travailleurs aux fins d'investissement dans des entreprises ontariennes admissibles et apportant des modifications corrélatives.

Mr Murray J. Elston (Bruce): I ask for unanimous consent to have the member for Carleton speak.

The Speaker (Hon David Warner): There's a request for unanimous consent for the member for Carleton to speak. Do we have unanimous consent?

Interjection: No.

The Speaker: No?

Mr Sean G. Conway (Renfrew North): On a point of order, Mr Speaker: Since we now have confirmed this spectacle where members can be cut off in midspeech, might I suggest—

Mrs Yvonne O'Neill (Ottawa-Rideau): Not in midspeech; in midsentence.

Mr Conway: —In midsentence—I think it would probably be a lot easier and a lot tidier if you and the Chair were just absolved of any responsibility to even bother calling out the orders, because we'd get the business done more quickly if we didn't even have to trouble ourselves with calling for the orders. Gee whiz, if we had no calling of orders, we'd have no speeches, no debate and the government would get it all without any trouble at all.

The Speaker: Would the member resume his seat. It's always appreciated when members are trying to be helpful.

The vote is on Bill 150.

Mr Elston: On a point of order, Mr Speaker: Can you tell us under what auspices you are taking the vote now, please? Can you confirm for the House under what auspices you have called for the vote at this time?

The Speaker: It was in the order. It's been ordered by the House, by a previous decision. It was ordered by the House. There's nothing out of order. It's perfectly proper to be having a vote at this time.

1750

The House divided on Ms Wark-Martyn's motion for third reading of Bill 150, which was agreed to on the following vote:

Ayes—86

Akande, Allen, Beer, Bisson, Boyd, Bradley, Buchanan, Callahan, Carter, Charlton, Christopherson, Churley, Conway, Cooke, Cooper, Coppen, Dadamo, Drainville, Duignan, Eddy, Elston, Ferguson, Fletcher, Frankford, Gigantes, Grandmaître, Grier, Haeck, Hampton, Hansen, Harrington, Haslam, Hayes, Henderson, Hope, Huget, Johnson, Klopp, Kormos, Lankin, Laughren, Lessard;

Mackenzie, MacKinnon, Malkowski, Mammoliti, Marchese, Martel, Martin, Mathysen, McClelland, Mielash, Morin, Morrow, Murdock (Sudbury), North, O'Connor, Offer, O'Neil (Quinte), O'Neill (Ottawa-Rideau), Perruzza, Philip (Etobicoke-Rexdale), Phillips (Scarborough-Agincourt), Pilkey, Poirier, Pouliot, Ramsay, Ruprecht, Scott, Silipo, Sullivan, Sutherland, Swarbrick;

Ward (Brantford), Ward (Don Mills), Wark-Martyn, Waters, Wessinger, White, Wildman, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Winniger, Wiseman, Wood, Ziemba.

Nays—9

Carr, Cunningham, Eves, Harnick, Sterling, Stockwell, Tilson, Turnbull, Villeneuve.

Mr Carman McClelland (Brampton North): On a point of order, Mr Speaker: I know the member for Victoria-Haliburton to be a man of integrity and honour, and I'm wondering if he might have an opportunity to explain how he feels with respect to the fact that his word, given in good faith, was undermined and the undertaking that he gave to be fulfilled was taken away from him by the House leader. I wonder if we might have unanimous consent for that.

The Speaker: The member for Brampton North can resume his seat. Unless the member for Victoria-Haliburton wishes to address the item, we have dealt with this matter.

Mr Norman W. Sterling (Carleton): On a point of privilege, Mr Speaker: It's important to note after the results of the vote on Bill 150 that the net result of the closure motion of this government is that members representing those against this bill had a total of 15 minutes in the third reading debate to talk about a very complex piece of legislation.

The Speaker: I understand fully the member for Carleton's concern. The member may wish to re-read the—

Interjections.

Mr Ian G. Scott (St George-St David): On a point of personal privilege, Mr Speaker: This is neither the matter that some expect nor is it a matter about the rules. I've observed this debate, and I've nothing to say about the rules. I understand they're there, and I share the position of my party on them. It is a matter that affects all our privileges when the House leader utilizes the rules to cut off a member in midsentence. That may have been dictated by the circumstances of the case; I don't know enough to say.

Frankly, we all hoped unanimous consent would be granted so that the member could bring his speech to a quick conclusion by perhaps no more than five minutes or 10 minutes on the issue. When that unanimous consent was not forthcoming—and I saw the House leader signal that it would not be given—it seemed to me there was an element of a new spirit in the House that I find, frankly, very unattractive.

I hope that in the future honourable members will be able, notwithstanding the cut and thrust of debate, in which God knows I participate as vigorously as anybody, to allow that minimum level of courtesy. I think it's the introduction of a mean spirit into the House that is not in the interests of anybody. Nobody else may share my view, but I wanted to express it and I thank you for the opportunity.

The Speaker: To the member for St George-St David, no one more than I would like to have an atmosphere of mutual respect and the opportunity to debate issues openly and freely without rancour.

SPRING GREEN CO-OPERATIVE ACT, 1992

Ms Swarbrick moved second reading of Bill Pr37, An Act to revive Spring Green Co-operative.

Motion agreed to.

Third reading also agreed to on motion.

SILVERBIRCH CO-OPERATIVE INC ACT, 1992

Ms Swarbrick moved second reading of Bill Pr38, An Act to revive Silverbirch Co-operative Inc.

Motion agreed to.

Third reading also agreed to on motion.

1800

MISSISSAUGA REAL ESTATE BOARD ACT, 1992

Mr Sterling, on behalf of Mrs Marland, moved second reading of Bill Pr46, An Act to revive The Mississauga Real Estate Board.

Motion agreed to.

Third reading also agreed to on motion.

BIKUR CHOLIM ACT, 1992

Mr Elston, on behalf of Mr Cordiano, moved second reading of Bill Pr48, An Act respecting Bikur Cholim.

Motion agreed to.

Third reading also agreed to on motion.

LYTTLE INVESTMENTS LIMITED ACT, 1992

Mr Sterling moved second reading of Bill Pr53, An Act to revive Lyttle Investments Limited.

Motion agreed to.

Third reading also agreed to on motion.

TOWNSHIP OF UXBRIDGE ACT, 1992

Mr O'Connor moved second reading of Bill Pr56, An Act respecting the Township of Uxbridge.

Motion agreed to.

Third reading also agreed to on motion.

BOROUGH OF EAST YORK ACT, 1992

Ms Ward moved second reading of Bill Pr57, An Act respecting the Borough of East York.

Motion agreed to.

Third reading also agreed to on motion.

COMMITTEE SITTINGS

Hon David S. Cooke (Government House Leader):

Mr Speaker, with unanimous consent I'd like to move a motion to set up the committees for the summer.

The Speaker (Hon David Warner): Unanimous consent? Agreed.

Hon Mr Cooke: I move government notice of motion 14:

That the following committees be authorized to meet during the summer adjournment in accordance with the schedule of meeting dates agreed to by the three party whips and tabled with the Clerk of the assembly to examine and inquire into the following matters:

Standing committee on administration of justice to consider Bills 74, 108, 109 and 110 related to advocacy and consent to treatment, pursuant to the order of the House dated Thursday 28 May 1992—

Interjections.

The Speaker: Will the government House leader take his seat? I ask the cooperation of the member for Renfrew

North in particular and the member for Etobicoke West to allow the government House leader simply to read the business of the House.

Hon Mr Cooke: Standing committee on estimates to consider the estimates of certain ministries;

Standing committee on government agencies to consider intended appointments as provided in its terms of reference;

Subcommittee on the standing committee of the Legislative Assembly to adjourn to Cincinnati, Ohio, to attend an annual meeting of the National Conference on State Legislatures;

Standing committee on the Ombudsman to consider the review of the Office of the Ombudsman;

Standing committee on public accounts to consider the matter of the appointment of the Provincial Auditor;

Standing committee on social development to consider Bill 112, An Act to revise the Building Code Act;

And that committees be authorized to release their reports during the summer adjournment by depositing a copy of any report with the Clerk of the assembly, and upon the resumption of the meetings of the House, the chairs of such committees shall bring any such reports before the House in accordance with the standing orders.

The Speaker: Is it the pleasure of the House that the motion carry?

Mr Murray J. Elston (Bruce): I wish to speak very briefly to this. It's not going to take very long. I had delivered a couple of proposed amendments to the House leader and also to my colleague the House leader for the third party, and asked at one point to consider some fairly important business in respect to the committees, since in fact we have not been allowed to proceed, as I had moved yesterday that we should be, with the pay equity bill.

I knew we would have work time available in the standing committee on social development. I had proposed that that committee should, during the summer intersession, be allowed to examine a whole series of issues relating to child protection and specifically to focus on the continuum of programs for the population of children known as those "at risk." That has been precluded, even though the schedule is now much lighter than it would have been under a previous business agenda which was given to us.

I have been told that if I move this, the motion would not itself be moved to allow the committees to sit during the intersession, so I am not, in accordance with my agreement that there is no sense in holding up the entire committee business schedule. I don't find that helpful, because there are, as everyone knows in this particular Legislative Assembly, some very serious social matters which need to be addressed.

One of them was addressed by our Premier, David Peterson, when we were in government. The other was raised, in fairness to the leader of the third party, by Mr Harris in relation to the desperate situation of a whole series of children in our society who are at risk, who are hungry. We felt it would have been fairly easy for a nod to

have allowed the business of looking into the programs for children in our society in the social development committee.

I admit partly that the circumstances of the feelings of this House are such that perhaps the government House leader could not give the nod to this, but I regret—I'm not blaming anybody. It came late, and I appreciate that, but it came late because there was time to do business because Bill 168 was not proceeded with.

I don't even suspect for a moment that there aren't many members in each party who wouldn't have assumed that this Legislative Assembly would have been better off using the social development committee to proceed to examine just how desperate the situation is in some homes in this province. I guess I had hoped that we could have had a nod to deal with that particular issue. Having alerted the House now to our tremendous sense that there needs to be something done for children at risk in this province, led by my colleague the member for York North and my colleague the member for Ottawa-Rideau, perhaps at another time we can get at that issue.

1810

The second item I had brought to the attention of the government House leader, and it's a matter of a long-standing nature, was the sense that perhaps as a result of being here a little bit longer than most people expected, partly because we didn't start early and partly because there were other issues at stake, I had asked, reasonably I thought, for some time, that we start the proceedings on the public hearings on Bill 40, which is the labour bill, on August 10.

It had been a long-standing request and had been made persistently by myself on behalf of my colleagues, because we felt that it was an important piece of government business that needed to be looked at carefully. It needs to be looked at with eyes and spirit which have not been burdened by an extended sitting; in other words, by people who are receptive to the points being made for the first time in a public forum by many of the presenters who will appear.

From my standpoint, moving us out of this place today and into the committee room on August 4, at a time when there will have been less than five days' expiry between the last date for responses to public advertisements for attendance at this committee and the beginning of the committee, forces the issues to such an extent that I believe some people will be unfortunately left in the lurch as they look for places to register either their assent or dissent from this particular piece of government legislation.

I bring these two matters to your attention, Mr Speaker, and to the floor of the House only to say that there are tremendously important things to be done in our committees and that there are tremendously important pieces of government business that need to be spoken about in this chamber. It is partly because of my very strong feeling about the sanctity of this chamber and its representative nature with respect to freedom of speech that, if we have appeared—and I have appeared, on many occasions, unfortunately, in these last weeks—to be totally without manners, it is beyond anything else the sense of a violation

of the sanctity of this chamber's representative features for the freedom of speech for all of us.

It's not always because we wish to be negative, that we wish not to make the point that something more can be done, but it is, Mr Speaker, I merely confirm to you, because you sometimes have been the object of some of my interjections, a sense that is real and that is true and that perhaps on another occasion in this House I will rejoin, because it is the pleasure of my caucus and the pleasure of this member that we be measured with respect to how keenly we preserve the right to speak. And we will speak.

Motion agreed to.

The Speaker: Pursuant to standing order 33, a motion that this House do now rise is deemed to have been made.

MINISTRY TRAINING SCHOOL

The Speaker (Hon David Warner): The member for Bruce had filed dissatisfaction with an answer provided to him—

Mr Murray J. Elston (Bruce): No, you wouldn't allow me.

The Speaker: Renfrew North; I'm sorry—with the response given to him by the Minister of Correctional Services. Additionally, the member for Oakville South had filed dissatisfaction with the same minister. The member for Renfrew North will be recognized first. He has up to five minutes to present his debate and the minister has up to five minutes for a response.

Mr Sean G. Conway (Renfrew North): My first point is with the Solicitor General, but I'm glad to see the minister of justice here, and he's about to leave. He'll probably leave.

One of the things I want to put on the record in this is that as we think about the so-called Bell Cairn affair, it was earlier this year that in a published letter in the Toronto Star, the former Deputy Attorney General, Judge Mary Hogan, said the following about her boss, the then and the now minister of justice, the Attorney General for Ontario, Howard Hampton. Mary Hogan said this in a published report:

"Sadly, as you know, Mr Premier, my minister has refused to work with me. He will not meet with me. He will not support me. On more than one occasion he has embarrassed me. The Attorney General's executive assistant has sought to undermine me from the beginning of my employment as the Deputy Attorney General."

I want to put that on the record because that is what one outstanding public servant said of another minister in this government this year.

We are now looking at the administration of the department of Correctional Services. In the hall today, I received from a reporter the terms of reference for the so-called Hansen review. I want to say a number of things at the very outset. I have the highest regard for Judge Hansen. I know of her outstanding work in Ottawa and I am sure no more capable person could be imagined for these kinds of public responsibilities. But what do we have? We have terms of reference that were not produced by the justice

minister in this House. I had to get this in the corridor from a reporter, and I find that in itself unacceptable.

I find it unacceptable that we have the minister under investigation in charge of the investigation. This is a matter that clearly falls to the chief law officer of the government. I would have expected that the justice minister would have stood in his place the other day and would have launched whatever inquiry was to be launched. But, no, we've got the spectacle of the minister of justice sitting in silence with nothing to say. But rather, we have the corrections minister, the man who clearly has defaulted on his responsibility, now in charge of an investigation of himself.

What does the investigation suggest? I want to say that these are some of the most limiting terms I have ever seen. The eminent judge has no power to compel anyone to do anything, to produce anything or to say anything. The judge is not going to be allowed to inquire into the conduct of the minister at issue. She is going to be allowed to go into a number of other areas, but she is expressly not allowed to investigate the conduct of the minister. I find that is—

Mr Gerry Phillips (Scarborough-Agincourt): That's the issue.

Mr Conway: That is the issue. It is breathtaking that she would not be allowed in these terms of reference to inquire into the conduct of the Minister of Correctional Services and his staff. The Premier and the government have carefully orchestrated this public relations campaign to have people believe that they have gone and acquired the services of an outstanding judge and given that judge every authority to inquire into all matters at issue, and that is not true. It is misleading and it is going to be seen as such. I think it is an injustice to subject Inger Hansen or anyone else to this kind of straitjacket.

I want to say as well that Dina Palozzi, by these terms, is not going to have any power to examine witnesses, to examine materials. She will have no power to cross-examine witnesses. She is going to have no protection. She is going to have no opportunity.

I want to say again that I am all for an inquiry. I am for an inquiry that has a real capacity to get to the heart of this issue. But this is a scam. It is a premeditated scam and it seeks as—

The Speaker: The member's time has expired.

Mr Conway: —its first objective to make sure that Allan Pilkey will not be a subject for Judge—

The Speaker: Would the member sit down. The member's time expired. The Minister for Correctional Services has up to five minutes to respond.

Hon Allan Pilkey (Solicitor General and Minister of Correctional Services): It won't take me very long to respond. I simply want to say the very action-oriented needs that have cried out to be addressed as a result of this difficult situation, since it has been brought to my attention, are in fact being done.

In terms of Her Honour Judge Hansen, I have every confidence in her completing very successfully the task that she has been called on to do, and I think that's very

important and critical work because it will speak to the concerns of sexual harassment in the workplace, which after all is the central issue of this circumstance. It will be done as well with a sensitivity to those who have experienced difficulty with respect to this particular item.

1820

Beyond that, I understand why the member opposite is having difficulty with the terms of reference, because it won't allow him into the kind of political witchhunt that he has involved himself with over the last number of days. That may be of concern to him but I don't believe it's of concern to the people of Ontario, who are after the real issue in this matter, and Judge Hansen will indeed deal with that.

Interjection.

The Speaker: Order, the member for Brampton South.

The member for Oakville South has up to five minutes to present his debate and the Minister of Correctional Services has up to five minutes for a response.

Mr Gary Carr (Oakville South): I guess the sad part about this whole affair is that had the member for Leeds-Grenville not raised it in a question in this Legislature, the whole thing would have been swept under the carpet, Minister. It is only because the opposition was able to get some information that this ministry was even aware of what was happening at Bell Cairn.

I referred to the paper this morning, in the Toronto Star, where the guards have called for an inquiry, and you're aware of it. It isn't the opposition. It isn't a political witch-hunt. The employees working in these facilities, their own people—and the Health minister, I understand, worked in that and knows the people and the feelings. They aren't doing this for political reasons. They aren't doing this because they want to embarrass the government. They are doing it because they want to get to the bottom of the problems, not just at Bell Cairn but at all the facilities.

With regard to the reference that has been put out, the opposition has very clearly been able to bring this to the minister's attention. He had no idea what was happening in his ministry. We are led to believe there are serious problems at other facilities, and these terms of reference will not deal with any of that. That unfortunately will be swept under the carpet.

The employees of these facilities are saying: "Come clean with the people of the province of Ontario. Let's have an open investigation, a public investigation, of all the facilities so we will get to the bottom of all the problems." Because the problem with this whole situation is that the people who are going to be reflected on in this are the employees at all the institutions across this province. They need a chance not only to clear the air at Bell Cairn but to clear the air on what has happened in this ministry, this ministry that has gone through tremendous problems.

As they relayed in the article, it is a case of problems with the management. The mismanagement is to blame for the scandal at the Hamilton training centre. I say that if there are any more problems at any other of the institutions because this minister failed to act, it will be indeed sad for

any people who are involved as a result of what may happen because this minister didn't take action.

We unfortunately are the ones who have had to lead the fight on this because the minister didn't know what was going on in his own ministry. The people of this province deserve better. I say to the minister very clearly: Come clean with the people.

Interjections.

The Speaker: The member for Brampton South, come to order.

Mr Carr: All we need to do is make—

Interjection.

The Speaker: I ask the member for Brampton South to please come to order.

Mr Carr: The problem we've got, and the Minister of Health will know this, is that the employee concerns that are out there need to be addressed. They are coming to the opposition because they do not believe they are being addressed, and the way to do that isn't through the back doors and through brown envelopes. It's in an open process where the people are heard, where people are allowed to come forward. That is the way it should be done so all sides are truly represented, so people can come forward with their legitimate concerns, because I believe there are some serious concerns out there from the people.

I suspect what has been happening over the last little while is that there are so many people concerned that they are now attempting to try to get their message out. How far this goes, who knows what? If we stop at only Bell Cairn, I'm afraid that the people of this province will never know.

In closing, I say to the minister and I say to the Premier, who ultimately has responsibility: Come clean with the people of the province. Come clean, let them find out exactly what is happening at all the facilities so that they can clear the air so the good name of the employees and the good name that we used to have for the correctional facilities in the province of Ontario can be restored for the confidence of the people of the province.

The Speaker: The minister has up to five minutes for his response.

Hon Mr Pilkey: I find it unusual indeed that the member for Oakville South stands and calls in his statement for people to come clean, particularly when I invited him on no less than four occasions this very afternoon to forward across to me voluntarily, at my request, alleged information that he declared to be very on point with respect to this matter. I would like to suggest it was nothing more than a political attempt to drag another red herring across the very substantive issue we have before us.

I have, as I indicated to the House earlier, indeed reviewed my files and have found that the correspondence I received from Mr Ward on September 13 was indeed forwarded. It was responded to almost immediately; there was a response to union officials within four days. Following that, there was correspondence additionally, 10 days after, as well with respect to the issue. The regional manager met with the superintendent, with the union officials. The matters were thoroughly discussed. It was only at that

meeting and as a result of that meeting at that point in time that one sexual harassment issue was brought forward with respect to a verbal abuse that one correction officer had made. I'm advised that the matter was settled to everyone's satisfaction.

So I somewhat have to refuse these kinds of unfortunate attempts by members of the third party in this issue, but at least there is one good thing out of it: We continue in the Ministry of Correctional Services to try to improve that situation. We are attempting to deal with the grievances that are alleged. This government has a very clear mandate in terms of sexual harassment and making absolutely determined efforts to stamp this out in the workplace. We will do that.

Interjections.

The Speaker: The member for Etobicoke West.

The member for Renfrew North had filed dissatisfaction on a second question. He has up to five minutes to present his debate.

Mr Conway: I don't think I'll need the five minutes. I want to end on a quieter note, because there is for me a fundamental issue here. The fundamental issue for me is ministerial responsibility. In this case I submit that the member for Oshawa has defaulted on his responsibility as a minister of the crown. He has not been as good as his oath, taken some months ago, when he swore that he would be vigilant, diligent and circumspect in the performance of his duties—in my opinion, and that's fair enough.

I say to my friend the member for Hamilton West that there is altogether too much documentary evidence which suggests to a reasonable person—and I'm not talking just about me; there is an editorial in yesterday's *Ottawa Citizen*, there's one in the *St Catharines Standard*, there have been editorials in the *Toronto Star*, I think in the *Globe and Mail*, in the *Toronto Sun*. I know I'm an oppositionist, and I know I'm not objective in these matters, but I ask honourable members to think seriously about the issue here.

I want to read a very brief passage from Lord Carrington's memoirs. Carrington was the Foreign Secretary in Margaret Thatcher's first government. He resigned over the Falklands affair. He resigned not because, he said, there was any specific indication that he had defaulted in his responsibility. He said the following; I'm reading from Carrington's memoirs. This won't take very long, and I rest my case with this.

"The general reason for my resignation was my sympathetic understanding that the whole of Great Britain felt angry and humiliated. I felt the same myself. British territory had, without warning, been invaded. There were hysterical outbursts in Parliament and yells of 'betrayal,' and although these were inaccurate and offensive they were understandable. Inhabitants of a British colony—men and women of British blood—had been taken over against their will. Diplomacy had failed to avert this. Military reinforcement had not been tried. Deterrence had been exposed as a bluff. Our hand had apparently been called. There was never the slightest doubt that, with Margaret Thatcher at the head of the government, we wouldn't retaliate

and we did. But the first shock and fury were felt throughout Britain, and in those circumstances—with people very naturally turning on the government and accusing it of mismanagement—it is right, in my judgement, that there must be a resignation. The nation feels that there has been a disgrace. Someone must have been to blame. The disgrace must be purged. The person to purge it should be the minister in charge. That was me. Therefore I resigned.”

The Speaker: The minister has up to five minutes for his response.

Hon Mr Pilkey: I’d like to say that I acknowledged fully in the House over the last number of days that the member for Leeds-Grenville first brought this matter to the attention of the House. I also was very forthcoming with the members of this House in terms of explanation, and indicated that I had not been advised of the matter and the circumstance that surrounded that.

Honourable members opposite chose to reject that. They couldn’t believe it. They called it into question. They called it a coverup. They called it all kinds of things.

The member opposite started to talk about documentary evidence. Even that was provided to him in a letter dated July 15, over the signature of an individual whom he suggested he knows and respects.

Interjection.

The Speaker: Order, the member for Willowdale.

Hon Mr Pilkey: It was indicated quite clearly in writing, and signed, that the minister had not been advised of the circumstance.

Interjection.

The Speaker: Order, the member for Etobicoke West.

Hon Mr Pilkey: I am very pleased to report to the House that once made aware of this circumstance, I have acted immediately and directly, in a very firm, managerial way, to address the issues and concerns at Bell Cairn and in terms of issues that may emanate beyond that.

I cannot help the kinds of assertions that have been made by members opposite. I believe the information I have brought to this House to be accurate, truthful and fair. This is a problem that we do not wish to have within this government and this ministry, and it will be our task in this government to resolve it as expeditiously as we can.

Interjection.

The Speaker: Order, the member for Brampton South.

There being no further matter to be debated, this House stands adjourned until Monday, September 28, at 1:30 in the afternoon.

The House adjourned at 1832.

**LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor/Lieutenant-gouverneur: Lt Col The Hon/L'hon Henry N. R. Jackman CM, KStJ, BA, LLB, LLD

Speaker/Président: Hon/L'hon David Warner

Clerk/Greffier: Claude L. DesRosiers

Clerk Assistant and Clerk of Committees/Greffier adjoint et Greffier des comités: Smirle Forsyth

Clerk Assistant and Clerk of Journals/Greffier adjoint et Greffier des journaux: Alex D. McFedries

Sergeant at Arms/Sergent d'armes: Thomas Stelling

| Constituency | Name of member | Party | Other responsibilities |
|-----------------------|---------------------------|-------|--|
| Algoma | Wildman, Hon/L'hon Bud | ND | Minister of Natural Resources, minister responsible for native affairs/ministre des Richesses naturelles, ministre délégué aux Affaires autochtones |
| Algoma-Manitoulin | Brown, Michael A. | L | Chair, standing committee on general government/ Président du Comité permanent des affaires gouvernementales |
| Beaches-Woodbine | Lankin, Hon/L'hon Frances | ND | Minister of Health, minister responsible for substance abuse strategy/ministre de la Santé, ministre responsable de la Stratégie de prévention de la toxicomanie |
| Brampton North/-Nord | McClelland, Carman | L | Vice-Chair, standing committee on general government/ Vice-Président du Comité permanent des affaires gouvernementales |
| Brampton South/-Sud | Callahan, Robert V. | L | |
| Brant-Haldimand | Eddy, Ron | L | |
| Brantford | Ward, Brad | ND | parliamentary assistant to Minister of Industry, Trade and Technology, responsible for trade and technology/ adjoint parlementaire du ministre de l'Industrie, du Commerce et de la Technologie et délégué au Commerce et à la Technologie |
| Bruce | Elston, Murray J. | L | opposition House leader/ chef parlementaire de l'opposition |
| Burlington South/-Sud | Jackson, Cameron | PC | Chair, standing committee on estimates/ Président du Comité permanent des budgets des dépenses |
| Cambridge | Farnan, Mike | ND | Vice-Chair, standing committee on the Legislative Assembly/ Vice-Président du Comité permanent de l'Assemblée législative |
| Carleton | Sterling, Norman W. | PC | |
| Carleton East/-Est | Morin, Gilles E. | L | Deputy Speaker and Chair of the Committee of the Whole House/ Vice-Président et Président du Comité plénier de l'Assemblée législative |
| Chatham-Kent | Hope, Randy R. | ND | parliamentary assistant to Minister of Community and Social Services/adjoint parlementaire du ministre des Services sociaux et communautaires |
| Cochrane North/-Nord | Wood, Len | ND | parliamentary assistant to Minister of Natural Resources/ adjoint parlementaire du ministre des Richesses naturelles |
| Cochrane South/-Sud | Bisson, Gilles | ND | parliamentary assistant to Minister of Northern Development and Mines, parliamentary assistant to minister responsible for francophone affairs/adjoint parlementaire de la ministre du Développement du Nord et des Mines, adjoint parlementaire du ministre délégué aux Affaires francophones |
| Cornwall | Cleary, John C. | L | |
| Don Mills | Ward, Margery | ND | parliamentary assistant to Minister of Government Services/ adjointe parlementaire du ministre des Services gouvernementaux |
| Dovercourt | Silipo, Hon/L'hon Tony | ND | Chairman of Management Board of Cabinet, Minister of Education/président du Conseil de gestion du gouvernement, ministre de l'Éducation |
| Downsview | Perruzza, Anthony | ND | parliamentary assistant to Minister for Skills Development/ adjoint parlementaire du ministre de la Formation professionnelle |
| Dufferin-Peel | Tilson, David | PC | |
| Durham Centre/-Centre | White, Drummond | ND | Chair, standing committee on regulations and private bills/ Président du Comité permanent des règlements et des projets de loi privés |
| Durham East/-Est | Mills, Gord | ND | parliamentary assistant to Minister of Municipal Affairs/ adjoint parlementaire du ministre des Affaires municipales |
| Durham West/-Ouest | Wiseman, Jim | ND | parliamentary assistant to Minister of Correctional Services/ adjoint parlementaire du ministre des Services correctionnels |
| Durham-York | O'Connor, Lawrence | ND | parliamentary assistant to minister responsible for the greater Toronto area/adjoint parlementaire de la ministre responsable du Bureau de la région du grand Toronto |
| Eglinton | Poole, Dianne | L | |
| Elgin | North, Hon/L'hon Peter | ND | Minister of Tourism and Recreation/ ministre du Tourisme et des Loisirs |
| Essex-Kent | Hayes, Pat | ND | parliamentary assistant to Minister of Agriculture and Food (agriculture)/adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation (agriculture) |

| Constituency | Name of member | Party | Other responsibilities |
|---|---------------------------|-------|---|
| Essex South/-Sud | Mancini, Remo | L | Chair, standing committee on public accounts/ Président du Comité permanent des comptes publics |
| Etobicoke-Lakeshore | Grier, Hon/L'hon Ruth A. | ND | Minister of the Environment, minister responsible for the greater Toronto area/ministre de l'Environnement, ministre responsable du Bureau de la région du grand Toronto |
| Etobicoke-Humber | Henderson, D. James | L | |
| Etobicoke-Rexdale | Philip, Hon/L'hon Ed | ND | Minister of Industry, Trade and Technology/ ministre de l'Industrie, du Commerce et de la Technologie |
| Etobicoke West/-Ouest | Stockwell, Chris | PC | |
| Fort William | McLeod, Lyn | L | Leader of the Opposition/chef de l'opposition |
| Fort York | Marchese, Rosario | ND | parliamentary assistant to the Premier, parliamentary assistant to Minister of Intergovernmental Affairs/adjoint parlementaire du premier ministre, adjoint parlementaire du ministre des Affaires intergouvernementales |
| Frontenac-Addington | Wilson, Hon/L'hon Fred | ND | Minister of Government Services/ ministre des Services gouvernementaux |
| Grey | Murdoch, Bill | PC | |
| Guelph | Fletcher, Derek | ND | parliamentary assistant to Minister of Consumer and Commercial Relations/adjoint parlementaire de la ministre de la Consommation et du Commerce |
| Halton Centre/-Centre | Sullivan, Barbara | L | |
| Halton North/-Nord | Duignan, Noel | ND | Chair, standing committee on the Legislative Assembly/ Président du Comité permanent de l'Assemblée législative |
| Hamilton Centre/-Centre | Christopherson, David | ND | parliamentary assistant to Treasurer of Ontario and Minister of Economics/adjoint parlementaire du Trésorier de l'Ontario et du ministre de l'Économie |
| Hamilton East/-Est | Mackenzie, Hon/L'hon Bob | ND | Minister of Labour/ministre du Travail |
| Hamilton Mountain | Charlton, Hon/L'hon Brian | ND | Minister of Financial Institutions, acting Minister of Energy/ ministre des Institutions financières, ministre de l'Énergie par intérim |
| Hamilton West/-Ouest | Allen, Hon/L'hon Richard | ND | Minister of Colleges and Universities, Minister of Skills Development/ministre des Collèges et Universités, ministre de la Formation professionnelle |
| Hastings-Peterborough | Buchanan, Hon/L'hon Elmer | ND | Minister of Agriculture and Food/ ministre de l'Agriculture et de l'Alimentation |
| High Park-Swansea | Ziemba, Hon/L'hon Elaine | ND | Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations/ministre des Affaires civiles, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales |
| Huron | Klopp, Paul | ND | parliamentary assistant to Minister of Agriculture and Food (food)/ adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation (alimentation) |
| Kenora | Miclash, Frank | L | opposition deputy whip/whip adjoint de l'opposition |
| Kingston and The Islands/ Kingston et Les Îles | Wilson, Gary | ND | parliamentary assistant to Minister of Culture and Communications/ adjoint parlementaire de la ministre de la Culture et des Communications |
| Kitchener | Ferguson, Will | ND | |
| Kitchener-Wilmot | Cooper, Mike | ND | deputy government whip; Chair, standing committee on administration of justice/whip adjoint du gouvernement, Président du Comité permanent de l'administration de la justice |
| Lake Nipigon/Lac-Nipigon | Pouliot, Hon/L'hon Gilles | ND | Minister of Transportation, minister responsible for francophone affairs/ministre des Transports, ministre délégué aux Affaires francophones |
| Lambton | MacKinnon, Ellen | ND | Vice-Chair, standing committee on regulations and private bills/ Vice-Présidente du Comité permanent des règlements et des projets de loi privés |
| Lanark-Renfrew | Jordan, W. Leo | PC | |
| Lawrence | Cordiano, Joseph | L | Vice-Chair, standing committee on public accounts/ Vice-Président du Comité permanent des comptes publics |
| Leeds-Grenville | Runciman, Robert W. | PC | Chair, standing committee on government agencies/ Président du Comité permanent des organismes gouvernementaux |
| Lincoln | Hansen, Ron | ND | Chair, standing committee on finance and economic affairs/ Président du Comité permanent des finances et des affaires économiques |
| London Centre/-Centre | Boyd, Hon/L'hon Marion | ND | Minister of Community and Social Services, minister responsible for women's issues/ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine |
| London North/-Nord | Cunningham, Dianne | PC | Progressive Conservative chief whip/ whip en chef du Parti progressiste-conservateur |

| Constituency | Name of member | Party | Other responsibilities |
|---|-------------------------------------|---------|---|
| London South/-Sud | Winninger, David | ND | parliamentary assistant to Attorney General, parliamentary assistant to minister responsible for native affairs/adjoint parlementaire du Procureur général, adjoint parlementaire du ministre délégué aux Affaires autochtones |
| Markham | Cousens, W. Donald | PC | |
| Middlesex | Mathysen, Irene | ND | parliamentary assistant to Minister of the Environment/ adjointe parlementaire de la ministre de l'Environnement |
| Mississauga East/-Est | Sola, John | L | |
| Mississauga North/-Nord | Offer, Steven | L | |
| Mississauga South/-Sud | Marland, Margaret | PC | Vice-Chair, standing committee on estimates/ Vice-Présidente du Comité permanent des budgets des dépenses |
| Mississauga West/-Ouest | Mahoney, Steven W. | L | chief opposition whip/whip en chef de l'opposition |
| Muskoka-Georgian Bay | Waters, Daniel | ND | parliamentary assistant to Minister of Tourism and Recreation/ adjoint parlementaire du ministre du Tourisme et des Loisirs |
| Nepean | Daigeler, Hans | L | Vice-Chair, standing committee on social development/ Vice-Président du Comité permanent des affaires sociales |
| Niagara Falls | Harrington, Margaret H. | ND | parliamentary assistant to Minister of Housing/ adjointe parlementaire de la ministre du Logement |
| Niagara South/-Sud | Coppen, Hon/L'hon Shirley | ND | Minister without Portfolio, chief government whip/ ministre sans portefeuille, whip en chef du gouvernement |
| Nickel Belt | Laughren, Hon/L'hon Floyd | ND | Deputy Premier, Treasurer of Ontario and Minister of Economics/ vice-premier ministre, Trésorier de l'Ontario et ministre de l'Économie |
| Nipissing | Harris, Michael | PC | leader of the Progressive Conservative Party/ chef du Parti progressiste-conservateur |
| Norfolk | Jamison, Norm | ND | parliamentary assistant to Minister of Industry, Trade and Technology, responsible for small business/adjoint parlementaire du ministre de l'Industrie, du Commerce et de la Technologie, délégué aux Affaires des petites entreprises |
| Northumberland | Fawcett, Joan M. | L | |
| Oakville South/-Sud | Carr, Gary | PC | |
| Oakwood | Rizzo, Tony | ND | |
| Oriole | Caplan, Elinor | L | |
| Oshawa | Pilkey, Hon/L'hon Allan | ND | Solicitor General, Minister of Correctional Services/ Solliciteur général, ministre des Services correctionnels |
| Ottawa Centre/-Centre | Gigantes, Hon/L'hon Evelyn | ND | Minister of Housing/ministre du Logement |
| Ottawa East/-Est | Grandmaître, Bernard C. | L | |
| Ottawa-Rideau | O'Neill, Yvonne | L | |
| Ottawa South/-Sud | McGuinty, Dalton J.P. | L | |
| Ottawa West/-Ouest | Chiarelli, Robert | L | |
| Oxford | Sutherland, Kimble | ND | parliamentary assistant to Chairman of Management Board of Cabinet; Vice-Chair, standing committee on finance and economic affairs/ adjoint parlementaire du président du Conseil de gestion du gouvernement, Vice-Président du Comité permanent des finances et des affaires économiques |
| Parkdale | Ruprecht, Tony | L | |
| Parry Sound | Eves, Ernie | PC | Progressive Conservative House leader/ chef parlementaire du Parti progressiste-conservateur |
| Perth | Haslam, Hon/L'hon Karen | ND | Minister of Culture and Communications/ ministre de la Culture et des Communications |
| Peterborough | Carter, Jenny | ND | parliamentary assistant to Minister of Citizenship, responsible for human rights, disability issues, seniors' issues and race relations/ adjointe parlementaire de la ministre des Affaires civiques, déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales |
| Port Arthur | Wark-Martyn, Hon/L'hon Shelley | ND | Minister of Revenue/ministre du Revenu |
| Prescott and Russell/ Prescott et Russell | Poirier, Jean | L | |
| Prince Edward-Lennox-South Hastings/ Prince-Edward- Lennox-Hastings-Sud | Johnson, Paul R. | ND | parliamentary assistant to Minister of Revenue/ adjoint parlementaire de la ministre du Revenu |
| Quinte | O'Neil, Hugh P. | L | |
| Rainy River | Hampton, Hon/L'hon Howard | ND | Attorney General/Procureur général |
| Renfrew North/-Nord | Conway, Sean G. | L | Deputy Leader of the Opposition/chef adjoint de l'opposition |
| Riverdale | Churley, Hon/L'hon Marilyn | ND | Minister of Consumer and Commercial Relations/ ministre de la Consommation et du Commerce |
| S-D-G & East Grenville/ S.-D.-G. & Grenville-Est | Villeneuve, Noble | PC | Second Deputy Chair of the Committee of the Whole House/ Deuxième Vice-Président du Comité plénier de l'Assemblée législative |
| St Andrew-St Patrick St Catharines | Akande, Zanana Bradley, James J. | ND L | parliamentary assistant to the Premier |

| Constituency | Name of member | Party | Other responsibilities |
|--|----------------------------------|---------|--|
| St. Catharines-Brock | Haeck, Christel | ND | government whip; Vice-Chair, standing committee on the Ombudsman/ whip du gouvernement, Vice-Présidente du Comité permanent de l'ombudsman |
| St. George-St. David Sarnia | Scott, Ian G. Huget, Bob | L ND | parliamentary assistant to acting Minister of Energy; Vice-Chair, standing committee on resources development/ adjoint parlementaire du ministre de l'Énergie par intérim, Vice-Président du Comité permanent du développement des ressources |
| Sault Ste Marie/ Sault-Sainte-Marie | Martin, Tony | ND | parliamentary assistant to Minister of Education/ adjoint parlementaire du ministre de l'Éducation |
| Scarborough-Agincourt | Phillips, Gerry | L | |
| Scarborough Centre/-Centre | Owens, Stephen | ND | parliamentary assistant to Minister of Financial Institutions/ adjoint parlementaire du ministre des Institutions financières |
| Scarborough East/-Est | Frankford, Robert | ND | |
| Scarborough-Ellesmere | Warner, Hon/L'hon David | ND | Speaker/Président |
| Scarborough North/-Nord | Curling, Alvin | L | opposition deputy whip/whip adjoint de l'opposition |
| Scarborough West/-Ouest | Swarbrick, Anne | ND | |
| Simcoe Centre/-Centre | Wessinger, Paul | ND | parliamentary assistant to Minister of Health/ adjoint parlementaire de la ministre de la Santé |
| Simcoe East/-Est | McLean, Allan K. | PC | Vice-Chair, standing committee on government agencies/ Vice-Président du Comité permanent des organismes gouvernementaux |
| Simcoe West/-Ouest | Wilson, Jim | PC | |
| Sudbury | Murdock, Sharon | ND | parliamentary assistant to Minister of Labour/ adjointe parlementaire du ministre du Travail |
| Sudbury East/-Est | Martel, Hon/L'hon Shelley | ND | Minister of Northern Development and Mines/ ministre du Développement du Nord et des Mines |
| Timiskaming | Ramsay, David | L | |
| Victoria-Haliburton | Drainville, Dennis | ND | First Deputy Chair of the Committee of the Whole House/ Premier Vice-Président du Comité plénier de l'Assemblée législative |
| Waterloo North/-Nord | Witmer, Elizabeth | PC | |
| Welland-Thorold | Kormos, Peter | ND | Chair, standing committee on resources development/ Président du Comité permanent du développement des ressources |
| Wellington | Arnott, Ted | PC | |
| Wentworth East/-Est | Morrow, Mark | ND | Chair, standing committee on the Ombudsman; Vice-Chair, standing committee on administration of justice/ Président du Comité permanent de l'ombudsman, Vice-Président du Comité permanent de l'administration de la justice |
| Wentworth North/-Nord | Abel, Donald | ND | government whip/whip du gouvernement |
| Willowdale | Harnick, Charles | PC | |
| Wilson Heights | Kwinter, Monte | L | |
| Windsor-Riverside | Cooke, Hon/L'hon David | ND | Minister of Municipal Affairs, government House leader/ ministre des Affaires municipales, chef parlementaire du gouvernement |
| Windsor-Sandwich | Dadamo, George | ND | parliamentary assistant to Minister of Transportation/ adjoint parlementaire du ministre des Transports |
| Windsor-Walkerville | Lessard, Wayne | ND | parliamentary assistant to Minister of Colleges and Universities/ adjoint parlementaire du ministre des Collèges et Universités |
| York Centre/-Centre | Sorbara, Gregory S. | L | |
| York East/-Est | Malkowski, Gary | ND | parliamentary assistant to Minister of Citizenship, responsible for human rights, disability issues, seniors' issues and race relations/ adjoint parlementaire de la ministre des Affaires civiques, déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales |
| York Mills | Turnbull, David | PC | |
| York North/-Nord | Beer, Charles | L | Chair, standing committee on social development/ Président du Comité permanent des affaires sociales |
| York South/-Sud | Rae, Hon/L'hon Bob | ND | Premier, President of the Executive Council, Minister of Intergovernmental Affairs/premier ministre, président du Conseil des ministres, ministre des Affaires gouvernementales |
| Yorkview | Mammoliti, George | ND | parliamentary assistant to minister responsible for substance abuse strategy/adjoint parlementaire de la ministre responsable de la Stratégie de prévention de la toxicomanie |

**COMMITTEES OF THE LEGISLATIVE ASSEMBLY
COMITÉS DE L'ASSEMBLÉE LÉGISLATIVE**

STANDING COMMITTEES/COMITÉS PERMANENTS

Administration of justice/Administration de la justice

Chair/Président: Mike Cooper

Vice-Chair/Vice-Président: Mark Morrow

Members/Membres: Zanana Akande, Jenny Carter, Robert Chiarelli, Mike Cooper, Alvin Curling, Charles Harnick, Steven W. Mahoney, Gary Malkowski, Mark Morrow, Robert W. Runciman, Paul Wessinger, David Winninger
Clerk/Greffière: Lisa Freedman

Estimates/Budgets des dépenses

Chair/Président: Cameron Jackson

Vice-Chair/Vice-Présidente: Margaret Marland

Members/Membres: Gilles Bisson, Gary Carr, Ron Eddy, Will Ferguson, Robert Frankford, Wayne Lessard, Lawrence O'Connor, Anthony Perruzza, David Ramsay
Clerk/Greffier: Franco Carrozza

Finance and economic affairs/

Finances et affaires économiques

Chair/Président: Ron Hansen

Vice-Chair/Vice-Président: Kimble Sutherland

Members/Membres: Elinor Caplan, Gary Carr, David Christopherson, Norm Jamison, Monte Kwinter, Gerry Phillips, Norman W. Sterling, Brad Ward, Margery Ward, Jim Wiseman
Clerk/Greffier: Todd Decker

General government/Affaires gouvernementales

Chair/Président: Michael A. Brown

Vice-Chair/Vice-Président: Carman McClelland

Members/Membres: Ted Arnott, Will Ferguson, Derek Fletcher, Margaret H. Harrington, Randy R. Hope, George Mammoliti, Rosario Marchese, Bill Murdoch, Dianne Poole, John Sola
Clerk/Greffière: Deborah Deller

Government agencies/Organismes gouvernementaux

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No. 58



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Legislative Assembly of Ontario

Second Session, 35th Parliament

Assemblée législative de l'Ontario

Deuxième session, 35^e législature

Official Report of Debates (Hansard)

Monday 28 September 1992

Journal des débats (Hansard)

Lundi 28 septembre 1992



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 28 September 1992

The House met at 1330.

Prayers.

ORDERS OF THE DAY

RESIGNATION OF MEMBER FOR ST GEORGE-ST DAVID

The Speaker (Hon David Warner): I beg to inform the House that a vacancy has occurred in the membership of the House by reason of the resignation of Mr Ian Scott, Esq, member for the electoral district of St George-St David. Accordingly, my warrant has been issued to the chief election officer for the issue of a writ for a by-election.

ROYAL ASSENT SANCTION ROYALE

The Speaker (Hon David Warner): I beg to inform the House that in the name of Her Majesty the Queen, His Honour the Lieutenant Governor had been pleased to assent to certain bills in his office on Monday, July 27, 1992.

Acting Clerk Assistant and Clerk of Committees (Ms Deborah Deller): In the name of Her Majesty the Queen, His Honour the Lieutenant Governor assented to the following bills in his office:

Bill 21, An Act to amend the Education Act in respect of Education Authorities and Minister's Powers / Loi modifiant la Loi sur l'éducation en ce qui concerne les commissions indiennes de l'éducation et les pouvoirs du ministre

Bill 27, An Act to amend the Education Act and certain other Acts in respect of School Board Finance / Loi modifiant la Loi sur l'éducation et certaines autres lois en ce qui concerne le financement des conseils scolaires

Bill 150, An Act to provide for the Creation and Registration of Labour Sponsored Venture Capital Corporations to Invest in Eligible Ontario Businesses and to make certain other amendments / Loi prévoyant la création et l'inscription de corporations à capital de risque de travailleurs aux fins d'investissement dans des entreprises ontariennes admissibles et apportant des modifications corrélatives

Bill 166, An Act to amend the Co-operative Corporations Act and the Landlord and Tenant Act with respect to Co-operatives / Loi modifiant la Loi sur les sociétés coopératives et la Loi sur la location immobilière en ce qui concerne les coopératives

Bill Pr37, An Act to revive Spring Green Co-operative

Bill Pr38, An Act to revive Silverbirch Co-operative Inc

Bill Pr46, An Act to revive The Mississauga Real Estate Board

Bill Pr48, An Act respecting Bikur Cholim

Bill Pr53, An Act to revive Lyttle Investments Limited

Bill Pr56, An Act respecting the Township of Uxbridge

Bill Pr57, An Act respecting the Borough of East York

Hon David S. Cooke (Government House Leader): Mr Speaker, with the unanimous consent of the House, I would like to move the following motions.

The Speaker: Do we have unanimous consent? Agreed? Agreed.

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon David S. Cooke (Government House Leader): I move that notwithstanding standing order 94(a), the House will not meet to consider private members' public business on Thursday morning, October 1, 1992, and that the requirement for notice be waived with respect to ballot items 23 to 28, inclusive.

The Speaker (Hon David Warner): Mr Cooke moves that notwithstanding standing order 94(a), the House will not meet to consider—

Mr Ernie L. Eves (Parry Sound): Dispense.

The Speaker: Dispense? Is it the pleasure of the House that the motion carry? Carried.

MEETING OF THE HOUSE

Hon David S. Cooke (Government House Leader): I move that when the House adjourns today, it stand adjourned until 1:30 pm on Wednesday, September 30—I'm tempted to say 1993—1992.

The Speaker (Hon David Warner): Is it the pleasure of the House that the motion carry? Carried.

ADJOURNMENT

Hon David S. Cooke (Government House Leader): I move that the House adjourn.

The Speaker (Hon David Warner): Is it the pleasure of the House that the motion carry?

Mr Gregory S. Sorbara (York Centre): In agreeing to this motion for adjournment of the House, on behalf of my leader and my party I would like to take the opportunity to wish all those citizens and residents of the province who are celebrating the Jewish New Year a prosperous, peaceful and spiritually uplifting celebration and the most wonderful of new years.

Mr Ernie L. Eves (Parry Sound): On behalf of my colleagues in our party I would like to extend again our recognition of the very important holiday for the people of the Jewish faith—Rosh Hashanah. I would also like to compliment all of us in this chamber, all different sides of the chamber, because I think it certainly indicates how society in Ontario has indeed changed today. In particular, I would like to note the member for Willowdale and the member for Mississauga North, who made their viewpoint with respect to this matter quite clear, and I think rightly so. I think it's a credit to the government that it has listened to that request.

The Speaker: Is it the pleasure of the House that Mr Cooke's motion pass? Carried.

This House stands adjourned until 1:30 of the clock this Wednesday.

The House adjourned at 1337.

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Legislative Assembly of Ontario

Second Session, 35th Parliament

Official Report of Debates (Hansard)

Wednesday 30 September 1992

Assemblée législative de l'Ontario

Deuxième session, 35^e législature

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Mercredi 30 septembre 1992

Speaker
Honourable David Warner

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 30 September 1992

The House met at 1334.

Prayers.

MEMBERS' STATEMENTS

TOMMY HASS

Mr Sean G. Conway (Renfrew North): I want to pay tribute today to a 17-year-old boy in my constituency. The young lad's name is Tommy Hass. He lives in the Eganville area and this is, in a way, a horrifying story. Two young lads walking home from a lake not too many weeks ago were attacked by two pit bulls. One young lad from the area, Rob Breen, was hospitalized with 250 stitches and was very nearly killed in this attack. It is a scandalous story about how anyone could harbour these kinds of killer animals in their midst.

But the real story is that the young lad who was attacked had a friend, a 17-year-old young lad named Tommy Hass, who stayed as these malicious beasts were attacking his friend. Young Tommy went and got some lead pipe and battered one of these beasts into some kind of submission. He stood his ground and fought to protect, I believe, the life of his young friend.

I just simply want to say on my behalf, and I know on behalf of all the members of this Legislature, how proud we are of any young Ontarian who would do this in honour of and in support of his friend, and I hope it gives pause as well to people in this province and elsewhere who would think about keeping these kinds of pit bulls or any other kind of animal whose instinct and training seems to be to kill. If this had been young Rob Breen's younger brother or sister, he or she may very well have been killed. May I say as well that we wish Robbie a full and speedy recovery.

COMMUNITY HEALTH SERVICES

Mrs Elizabeth Witmer (Waterloo North): I would like to draw the government's attention to the very serious funding crisis facing the Waterloo Regional Health Unit.

As a result of the provincial government's failure to provide adequate funding to cover the cost of mandated programs and increases in operating expenditures, the health unit is being forced to consider significant cutbacks in staff and programs. These cutbacks are to be announced tomorrow.

The policy of shifting responsibility for the cost of community health services to the municipality, the so-called disentanglement of funding responsibility, is creating a funding crisis for community health units across the province.

I am shocked and appalled by the Ministry of Health's abdication of its responsibility to ensure that community health services are maintained.

The lack of provincial funding will unfortunately hurt the people who rely on these services: the working poor, the elderly, the unemployed and children. These are the

people who will be made to suffer as a result of this government's funding policies.

I would urge the government to take immediate action to ensure that the essential community health services in Waterloo region are not eliminated as a result of a lack of provincial support for mandated programs.

GAMBLING

Mr Dennis Drainville (Victoria-Haliburton): I rise in the House today to speak about an issue that deeply concerns and troubles me. That issue is the government's decision to introduce casino gambling in Ontario.

I am proud of the New Democratic Party, I am proud of our government's progressive taxation policies and I am proud of the work that my party has traditionally done on behalf of poor and lower-income citizens of Ontario. I am also proud of the leadership that my government has given in the areas relating to social policy and workers' rights.

So it is with deep regret that I rise to speak against the government's position on the introduction of casino gambling. Casino gambling is based on the principle of greed. More than this, the profits that will go to the government are based on the certainty that the majority of casino gamblers will lose. Those who gamble are often poor or on modest incomes. It is they who will be further economically deprived by the inevitable losses they will incur.

In my view, the establishment of gambling casinos will only devalue the government's present efforts to help low-income people. My conscience will not let me support the process by which the government is establishing casinos in the province. I will not be supporting this regressive move and I fully intend to be voting against the government if legislation is brought into this House. I hope that more of my colleagues will listen to their own consciences on this issue.

1340

MUNICIPAL BOUNDARIES

Mr Ron Eddy (Brant-Haldimand): The two days of hearings that the Minister of Municipal Affairs held in London last week brought home the message that the citizens of Middlesex as well as of the city of London are very much opposed to Bill 75, which will give 64,000 acres of county land to the city, including the entire town of Westminster and thousands of acres of prime agricultural farm land.

In July of this year, the minister met with the county of Middlesex to discuss the county's alternative package, which would annex 24,000 acres to the city of London. This is more than the city requested when the annexation proceedings began in 1988 and represents twice the amount of land that would serve the city until the year 2026.

This is a reasonable compromise that would meet the needs of the city of London and leave the county with a sustainable assessment base, and is supported by the county's 22 constituent municipalities.

At the recent AMO conference, the minister said that the process used in this annexation was unique and that similar legislation would not be presented again. Later in the same speech, however, the minister stated that the sole arbitration process to solve annexation issues is his government's policy. This blatant contradiction has Ontario's municipalities worried, with good reason.

Middlesex Warden Frank Gare met yesterday with London's mayor to discuss the county's alternative package. It is evident that the city and the county are open to discussion on this matter, but the ministry's position is not at all helpful. Why will the minister not respond to the county's alternative package?

HYDRO PROJECT

Mr Jim Wilson (Simcoe West): My statement is directed to the Minister of Energy with responsibility for Ontario Hydro. At a public meeting last week, 400 residents packed the Beeton arena to voice their anger at and displeasure with Hydro's plans to build a 250-acre transformer station on prime agricultural land.

My constituents are concerned, because at no point has Ontario Hydro established a need for the creation of massive transmission corridors from Sudbury to Toronto. People are losing confidence in Hydro's ability to plan effectively, especially in light of a recent report from the Ontario Energy Board which criticized Hydro's inability to predict future growth and the woeful performance of the Darlington reactors. Residents in my riding are worried that their health and safety will be jeopardized by the construction of this Hydro project. As well, they have legitimate concerns about the impact this transformer station will have on farming activities and rural life in the area.

It seems ironic that at the same time the NDP government wants to give some \$20 million to tender fruit growers in Niagara region in order to preserve farm land. This same government is prepared to turn a blind eye to Hydro's designs on prime farm land in New Tecumseth.

I would strongly urge the Minister of Energy to support the resolution passed by the town of New Tecumseth, which calls on Hydro to take no further action on this ill-conceived project.

PROPERTY ASSESSMENT

Mr Anthony Perruzza (Downsview): As you know, in Metropolitan Toronto we have an unfair and outdated property tax system that penalizes and rewards people based on where they live. If you live in the city of Toronto, generally you will be rewarded by the current property tax system. On the other hand, if you live in a newly developed suburb, generally you will be penalized by having to pay a much higher rate of tax for the same value of property.

For example, if you live on Eldorado Court, on Kennerly, on Exbury, on Sentinel, on Calvington, on Tavistock, on Dubray, on Downsview Avenue, on Hallsport, on Roding, on Northover, on Giltspur, on Arleta or on Spensvalley, you are paying far higher property taxes than you should otherwise be paying. This is not right; this is not fair.

Even as I speak today, Metro council is debating whether it will proceed to reform this unfair, unequal and antiquated system of taxation. It is my hope that Metro councillors will approach this debate with an unbiased attitude and look at achieving a fair and equitable property tax system for all in Metro.

LANDFILL

Mr Charles Beer (York North): Once again today, the people of Durham, Peel and York region had to come down to this place to remind the government that what is now going on in terms of finding a dump site is a sham. It is a process that is deeply flawed.

The people who are there during the summer, the people who live on the farms, the people whose land will be affected, now have learned that they're going to have to wait even longer and that they are being left out there and hanging. They don't know what is going to happen, so the lives of all the people who live around those 57 sites are simply left in limbo.

Today, as the representatives of all the different groups got up, people were saying that the process is flawed and that the end result simply makes no sense. In 1992, we don't start an environmental policy by saying we're going to build a dump that is again bigger than the one that is at Keele Valley.

I want to make clear to the minister and to this government that the people of all of these areas are united. We'll continue to fight this until we can make sure that this misguided policy is put where it deserves to be, that is, off the legislative agenda, and that it will not become a reality. We've got to think of the people, the people who are out there today, the people who live in those communities. They do not want this megadump placed where they live, where they farm, where they have their communities. We've got to make sure that the government listens to that message and that in the end there is no megadump.

ROBERT MARLAND

Mr Ernie L. Eves (Parry Sound): I'm pleased to tell the House that Olympic gold medallist Robert Marland, the son of Mississauga South MPP, Margaret Marland, is in the gallery today.

I brought this with me today because I'm sure it's as close as I'll ever get to receiving one.

Rob was a member of Canada's Olympic rowing team in Spain this past summer. Many of us watched the television replay of the exciting men's eight race. We shared the joy of victory, and we listened with pride as our national anthem was played at the medal ceremony.

We remember Rob's emphasis, in his interview after the race, on the achievement of the team rather than the individual. He also said that although it was his gold medal, he won it for Canada, his wife and his family. Robert, you make us all very proud to know that individuals like you represent Canada.

For Rob, winning an Olympic gold medal was the result of hard work and sacrifice. He has rowed for 11 years, seven of them with the Canadian team. Rob and his wife, Jane Forsyth, gave up excellent jobs in banking

and teaching to move to Victoria so that he could train full-time for two years.

Rowing, unlike many sports, does not bring its winners fame and fortune. But as we see with Rob, it gives them drive, dedication and a sense of achievement that will serve them well throughout their lives.

I know that Robert's family deserves much credit for his victory. Ken and Margaret Marland have provided the support and encouragement that are vital if an athlete is to become an Olympic gold medallist. Congratulations, Robert. Congratulations, Margaret. Your victory made the summer of 1992 a very special one for all Canadians.

BRITISH PENSIONS

Mr Gordon Mills (Durham East): On July 16, my private member's resolution called upon Her Majesty Queen Elizabeth II and her government to address the grave injustices to British old age pensioners living in Ontario. On the morning of July 16, every seat available to the public in this Legislature was occupied. Those without a seat watched the debate on television in an adjoining room. The concerns of the British old age pensioners were evident by their attendance here that day.

Since that debate, I have been asked by a member of the government of British Columbia to pass along all the detail relating to the resolution in order that a similar resolution can be introduced in their Legislature in BC. I've also received inquiries from the House of Commons in Ottawa about the bill.

Today I wish to advise all the pensioners who came to Queen's Park on July 16 that we are making some headway. I've been advised by the secretary to the Governor General of Canada that my resolution and supporting documentation have been forwarded to Sir Robert Fellowes, the principal secretary for Her Majesty, Queen Elizabeth, for her information. I look forward to hearing positive news from London, England, in the near future and so do all the other old-age pensioners living in Ontario.

1350

VISITORS

The Speaker (Hon David Warner): We have a number of very special visitors in our gallery today, and I would ask the members of the assembly to welcome them to our midst today. We have the Honourable Kenneth McKinnon, the commissioner of the Yukon; the Honourable Vance Amory, the Premier of Nevis; Dr Bernard Yankee, the high commissioner of the Organization of Eastern Caribbean States; and a delegation of legislative council members from Hong Kong. Would you please welcome our special visitors.

We also have seated in the gallery a former member of the assembly, Mrs Margaret Renwick. Welcome to our assembly.

LEGISLATIVE PAGES

The Speaker (Hon David Warner): I would also like all members to join me in welcoming our 10th group of pages to serve the 35th Parliament of the Ontario Legislature: Gwen Broda, Don Mills; Raigan Burns, Etobicoke

West; Lindsay Core, Lambton; Timothy Dawson, York East; Michael Derzko, York Mills; Noah Deszca, Waterloo North; Jeremy Dupuis, Essex South; Peter Fraser, York South; Haley Freedman, Hamilton West; Brittany Gullick, Peterborough; Lorraine Hudson from Prince Edward-Lennox-South Hastings; Arleigh Johnson, Simcoe West; Joshua Kyrzakos, Mississauga West; Karen Lepper, Eglinton; Clare McLean-Wilson, Grey; David Mollison, Halton Centre; Marie Morin-Strom, Nipissing; Nathan Pfrimmer from Muskoka-Georgian Bay; Lawrence Philadelphia, Cambridge; Andrew Price, Ottawa-Rideau; Lesley Robert, Durham West; Natalie Sarjeant, Mississauga North; Grant Scholes, Scarborough Centre, and Gladys Yam from Scarborough North. Please welcome our pages to our assembly.

SPECIAL REPORT BY OMBUDSMAN

The Speaker (Hon David Warner): I also beg to inform the House that on Monday, the 17th day of August, 1992, a special report by the Ombudsman was tabled with the Clerk's office to the Legislative Assembly.

STATEMENTS BY THE MINISTRY AND RESPONSES

CONSTITUTIONAL REFORM RÉFORME CONSTITUTIONNELLE

Hon Bob Rae (Premier and Minister of Intergovernmental Affairs): I rise to simply table the following documents in English and in French: Consensus Report on the Constitution, Charlottetown, August 28, 1992, Final Text; and Political Accords, a companion to the consensus document.

Interjection.

Hon Mr Rae: People say, "Where is the text?" This is the text we have. We'd like to just table that.

The Speaker (Hon David Warner): Statements by ministers? Responses? It is time for oral questions and—

Hon Mr Rae: If the House would permit, I don't have a written statement, but I'm certainly prepared to make a brief comment on the accord. If that would be in the interests of the House or the House would be interested in having that for a few moments, I'm certainly quite prepared to do that and to encourage further public discussion.

Mrs Lyn McLeod (Leader of the Opposition): It's my understanding that there would be a request for unanimous consent for all three party leaders to speak to the constitutional proposals in the House this afternoon.

Hon Mr Rae: Okay, that's fine.

The Speaker: Agreed? Agreed.

Hon Mr Rae: I take this opportunity, then, and I want to start by saying to my colleagues that I feel we've made substantial progress since I last had the opportunity to report to the House after the meeting of July 7.

As I pointed out to the House at that time, the agreement we had reached then was an agreement between nine premiers, the federal government; and the aboriginal leadership was represented, as well as the territorial leaders. What we have now is, in my view, a truly remarkable

achievement, and that is the additional agreement of the government of Quebec to the Charlottetown accord, which, while it has some of the features and bases itself to some extent on the agreement of July 7, in fact represents a very substantial advance over where we are.

Many things will be said, and we'll have an opportunity later on, I think very soon, to have a fuller debate and discussion in this House with respect to the Constitution. I look forward to that discussion. I look forward to a full debate with the leaders, and not only with the leaders but with members of the House also being able to participate. Of course, in the event that we are successful in achieving a substantial Yes vote across the country, we will then have yet another opportunity to be debating a resolution which will be based on the Charlottetown accord negotiated on August 28, 1992.

I've had occasion over the last while—and I'm sorry the member for Renfrew North isn't here, because of all the members in the House he could be the one to correct me most quickly.

Interjection.

Hon Mr Rae: The member for York North won't do too badly either if he listens carefully and hears me making mistakes.

Members will no doubt recall that, prior to the remarkable events of 1867, there was a dramatic moment in the Legislative Assembly of the two Canadas that were together at that point, Upper and Lower Canada, when rivals suddenly came together and formed what became known as the Great Coalition. I don't have to go over all the debates that took place between 1841 and 1862-63, but there were some of the most bitter, divisive, difficult issues, in which governments came and went very quickly, in which personal antagonisms were built up over a long period of time and were based on a very different sense of interest. The vision of Canada that was held by George Brown was very different from the vision of Canada that was held by George-Étienne Cartier and very different in turn from Taché, very different from Galt, very different from Sir John A. Macdonald.

After governments came and went and fell, there was a critical moment when George Brown, who was the leader, I suppose, of the Reform-Liberal forces in Upper Canada, in Canada West, as it was then called, initiated a process of discussion in which all the parties that were then represented would come together to form one government and, in so doing, they would strive to create a federation. That was the critical moment, which then proceeded to drive the discussions in Charlottetown in 1864, in Quebec in 1865 and of course in London, England, itself in 1866 and 1867; a critical moment in which the leadership of the Canada as it then was came together and said, "There are issues which transcend party, there are issues which transcend differences, and there is a moment and a time for us to think of the common good and to put all our political and partisan differences behind us and unite together in the creation of the federation called Canada."

1400

It was that spirit which drove this country towards Confederation 125 years ago and, I believe, in its own way, the spirit of Charlottetown of 1992, with the incredible moments in which people of very different points of view—I mean, let no one pretend that the vision of Canada in its pure form that is held by Premier Wells in his views, by me in my views, by Premier Bourassa in his views, by Ovide Mercredi in his views, taken in their abstract are the same; they're not.

What drove people to come together was a constant determination and effort to keep our eyes on the prize, to keep our eyes on the objective, and the objective is a home in which we can all live, a home which will have enough variety and diversity in it that all of us can feel at home and at the same time make it something that is ours.

Le gouvernement du Québec : le premier ministre Bourassa lui-même a répondu. Il a toujours agi avec une énorme dignité et avec une remarquable sagesse. Oui, il a fait un énorme travail remarquable, fort pour sa province, le Québec. Il a gagné dans ce sens, peut-être plus qu'aucun autre premier ministre dans l'histoire de la province de Québec, une reconnaissance de la spécificité distincte du Québec ; plus de contrôle sur certains programmes qui n'ont pas toujours été reconnus, dans le sens le plus clair, dans le domaine exclusivement provincial ; reconnaissance dans la clause Canada, à travers la constitution, que nous devons trouver un nouveau fédéralisme qui est à la fois flexible et qui offre la stabilité à l'oeuvre économique et à l'oeuvre historique du Québec. M. Bourassa nous a appris, à tous les Canadiens, qu'on peut être bon Québécois et bon Canadien à la fois.

It's up to all of us now to try to do something which in itself is quite difficult; that is, to try to get the Canadian public, through this referendum process which is now under way, to in a sense share in the give and take that led to the Charlottetown accord. A federation by its very nature depends on people being willing to set their own absolute number one priorities alongside others and learn that everyone has to give a little and learn that there has to be a sense of give and take, that there has to be a sense of flexibility.

It's important for us as we talk to Canadians and Ontarians and as we engage them in a very constructive and positive dialogue, which I encourage all members to do, to point out to everyone what's in the accord, why the Canada clause is such an improvement, in my view, over what was in Meech Lake because it includes so many at the same time as it deals with the issues that were raised by Meech Lake, why the social charter represents an enormous advance for all of us, why the economic union represents an enormous advance for all of us, why for us as a nation to recognize the inherent right to self-government allows us to say as Canadians that we're helping to set the way, set the pace, set the path.

There will be ample time today for there to be criticisms and comments and partisan attacks and assaults. We all expect that on the opening day of the House; certainly I do. I'm ready, eager and willing to participate in it.

Hon Ruth A. Grier (Minister of the Environment and Minister Responsible for the Greater Toronto Area): We all are.

Hon Mr Rae: As are we all. But I want to say that none of that should obscure the central fact of what has taken place and what is taking place in Canada. We are a meeting place where people from different lands have made their home. We are a meeting place where no one ethnic group has dominance. We are a meeting place where we have learned over the years the price that is paid by linguistic or religious intolerance or bigotry. We are a meeting place that knows something of the need to create common institutions that allow each part of the country to see the very real advantages to what we are pulling together.

I believe very profoundly that what Canada at its best can truly be is a light and beacon to the world, that we are doing things that other countries have not been able to do. Oh yes, I know there are times and places when we say, "We're not so good as other countries at this," or, "We're not so good as others at that." But if you look at what we are doing here, if you look at what's happening in Europe and compare what's happening here, with our abilities to allow people to come from all over the world and create a new society and create a climate of tolerance and understanding, what other country is making the advances we are making with respect to the relationship between, if you like, those who came and settled 300 or 400 years ago and those who have been here for thousands of years? These issues are shared by a number of countries around the world, and we have a chance to make some real progress and some real advances.

In my approach to this accord, I must confess that I am proud of what we have done. I am proud of the effort that's been put into this by this province. I'm proud of the work that's been done by the select committee, by the contribution that's been made by the public servants, by the contribution that's been made by members of the opposition and members of the government. I'm very proud of the people of this province who, in my view, have consistently taken a positive, fundamentally optimistic, creative, imaginative and yes, at moments, a courageous position.

I believe profoundly that this is the basis for unity in the country. It is the basis for a new passion for Canada, a new passion for what it is we are creating here on the northern half of the North American continent. I think we have to try to convey something of that passion, something of the give and take, something of the imagination that went into the forging of this document.

There's always going to be room for cynicism in a society, there's always going to be room for people to say, "You could have done this," or, "You could have done that," or, "You shouldn't have done this," or, "You shouldn't have done that." The task for all of us now, I believe, regardless of party, is to remember that at its moments of greatness, indeed at the very forging of the country itself, it was a determination by practical but also creative and imaginative women and men who said, "No, we're going to set aside the demands for perfection on the spot and we're going to build a practical home, a real

home, a living home for Canada." That's what happened 125 years ago and that's exactly what we can do in 1992. Thank you very much.

1410

Mrs McLeod: I appreciate an opportunity to offer a perspective on this issue, an opportunity which for a moment I thought was about to vanish.

Hansard will record that I have been very brief in my responses to the periodic reports that the Premier has brought to this House on the progress of the negotiations. I was brief in anticipation of the time when the completed accord might in fact be tabled in this House. It's my intention to be somewhat fuller in my response to those proposals today.

I appreciate the commitment the Premier has made that there will shortly be an opportunity for other members of my caucus and other members of this assembly to offer their views, their perspectives on these proposals as well, because I believe the manner in which these constitutional proposals have been and are being considered by the members of this assembly, free from partisanship and indeed open to all points of view, underlines the critical importance of this accord to all Ontarians.

I have always believed that there are some issues which must be dealt with beyond partisanship. To my colleagues on all sides of this chamber I say, let us make sure this issue is one of those. The stakes are too high and the consequences are too far-reaching and too long-lasting for consideration of political gain or loss to be a factor in our response.

Let me stress, however, that non-partisanship is not the same as unquestioning acceptance. There are legitimate concerns about the accord and these need to be expressed. The people of this province are entitled to all the information that is available, presented to them in the fullest and fairest way.

Let me begin the expression of my own perspective by saying that as an Ontarian I'm proud of the fact that once again this province has played a bridging role. Through three separate constitutional negotiating rounds, under three premiers of all three political parties, Ontario has offered reason rather than rancour. We have been willing to set aside a preoccupation with our own interest to hear and understand the perspectives, the concerns, the needs of other regions and communities of people.

But the job is not finished; it has just begun. Before Ontarians cast their ballots on October 26, all of us who support the constitutional renewal owe it to everyone in this province to provide them with the answers to their questions. I believe it is vital that those of us who support this agreement articulate the reasons for our support firmly and positively. It is not enough to say, "Let's just get it over with."

Ce n'est pas assez de dire, «Finissons-en». La question est trop importante pour être simplement mise de côté. Nous devons, au contraire, souligner les avantages que l'entente procure au Canada et à l'Ontario.

For me, there are two significant and positive reasons for supporting the accord. The first advantage is one that

we have been enjoying for 10 years: a patriated Constitution in the hands of Canadians with a Charter of Rights and Freedoms. It is not new, but in a way it is a fundamental element of this package. The reason that all provinces and the federal government began this constitutional round was to carry forward the work that was only begun 10 years ago and to make sure that this time all parts of the country are included.

This agreement shouldn't be viewed in isolation. Let us remember, if Quebec had not been represented by a separatist government in 1981, if that province had been represented by a government that was willing to negotiate, does anyone believe that the Constitution that emerged would have been exactly the same, word for word? Surely it would have been quite different in some ways.

This constitutional package reflects those differences, differences that would have been incorporated 10 years ago if Quebec had been represented then by a government willing to work for Canada. Now that all provinces have governments prepared to work for Canada, doesn't it make sense to finish the job we started back then? That, in my mind, is one positive reason to vote Yes: to complete a process of change which Ontarians have always supported.

There is another important reason. You can see it every day on the currency markets and in the stock exchanges and you can hear it in the business centres of the world. In the current economic environment, Canadians must have confidence in their national institutions. Canadians must feel secure about our country's stability so that we can focus our energies on rebuilding the economy. In a volatile world, stability is not just a valuable asset; it is essential to our economic life.

Honnêtement, je pense que les négociations constitutionnelles n'auraient pas dû dominer à tel point la scène nationale ou provinciale. Nous aurions pu continuer à progresser simultanément sur plusieurs fronts, et plus particulièrement sur celui de la reconstruction de notre économie. Mais je ne vais pas chicaner à ce sujet maintenant. Ce dont il faut se souvenir, c'est que notre niveau de vie dépend beaucoup de la façon dont nous allons résoudre nos disputes constitutionnelles.

I had a brief opportunity this summer to visit New York and Washington to meet with some of the decision-makers in international investment and in the business world, and the question that was most often asked was, "What is happening in your national unity debate?" Those same people, the people who every day make decisions that affect investment in our country, are going to be watching for the results on October 26. They will be joined by people in London, Frankfurt and Tokyo, in every other major financial and political centre in the world. We must demonstrate that Canada is ready to stop arguing over issues left over from the 19th century and start dealing with the challenges of the 21st century.

We may feel that this has been a long, anguished debate of uniquely Canadian nature, a debate that no one else can understand. That is probably true. But whether people outside Canada understand what we are doing or not, the world is certainly going to watch the outcome. On October 26, we have our chance to say, "We're ready for the

world," and we have to grasp it. We have to stop arguing about what we were or thought we wanted to be and embrace a new vision of what we can be.

A Yes vote on October 26 will be seen as a sign of political maturity and economic security. It will be seen as a positive step into the future. A Yes vote means governments will have no excuse for not dealing with economic priorities that demand attention, priorities that have been too long ignored. To me, these are two strong reasons for supporting the constitutional package. It will finish the job we began years ago and it will give us a chance to start a job we should have begun years ago: the job of building an economy for the 21st century.

I believe this accord does provide a sound basis for our future governance. It is obvious that in drafting this constitutional package the lesson of Meech Lake was well understood. The lesson at Meech was that this round of negotiations had to be a Canada round. Canadians in every part of the country had to be given the chance to see their clear stake in the outcome. The provisions in this accord reflect each province's readiness to respect the others' concerns. The Canada clause puts us all at the table as equals.

1420

Senate reform demonstrates that this was a round for all Canadians. It addressed western Canada's fear of being frozen out of national decision-making. But at the same time, Senate reform was accompanied by an increased representation for our province in the House of Commons, more accurately reflecting our population and giving the people of Ontario a fairer say in that decision-making body.

Native self-government demonstrates that this was a round for all Canadians. It would be unthinkable if an agreement reached in 1992 had not recognized the determination of native peoples to step out from under the Indian Act and determine their own future.

These are some of the specific provisions that we can indeed be proud of. But just as it is the duty of all of us who support the constitutional amendments to put forward our reasons, it is also incumbent upon us to respect the concerns of those who are opposed. Those concerns spring from conscience, and that is why we will be having a free vote when a resolution does come before this House.

In this assembly and outside, legitimate concerns and questions will be raised. For those of us on the Yes side, it is not just a matter of silencing the objections or even simply rebutting them. Our responsibility is to answer them. The ball is in our court and we cannot lob it; we have to aim it. We have to put forward a unified, coordinated message that expresses the positive reasons for voting Yes.

My party is ready to work with the Office of the Premier and the leader of the Conservative Party to ensure that the Yes campaign in this province is one that we can all be proud of, a campaign that impugns no one's motives and responds to everyone's questions. But we also have to recognize that not all of the i's have been dotted or all of the t's crossed. There are details left to be determined. The important thing is that they can be determined in an atmosphere of calm rather than one of crisis. Our work will be

more productive because it can be undertaken in a stable environment.

One of the details which I would like to see subjected to thorough study and debate is the process for electing this province's senators. As I mentioned, Senate reform is one of the positive changes that this package offers and we have a responsibility to make sure that it could work here in Ontario.

I've already indicated my strong personal objection to the use of quotas to achieve equity in the Senate. Quotas, in my mind, do not advance the principle of equity; they violate it. They carry an implicit assumption that as women we are unable to compete on the basis of our skills and experience, and I categorically reject that assumption. As a woman, I argue that we don't need guaranteed access; we need open access. That is true of women and of all minorities. Provide truly equal opportunity and we can make the most of it.

I reject guaranteed quotas for women in a Senate to be elected as well, because it would block access for others. I believe, for example, that any method of choosing senators should ensure fair representation of the regions of the province, but any method of selection that included quotas would make balanced regional representation difficult if not impossible.

It would be naïve for me to suggest that there would be no problems facing women who would seek election to a Senate. There would be unfair disadvantages in fund-raising, in networking and public perceptions, but instead of trying to fix quotas, we should try to fix the problems.

I would suggest, for example, that one innovation we might want to consider would be a form of preferential voting in which people would indicate their preferences among the candidates from first to last, with victory going to the candidate most acceptable to the majority. This method worked to elect a woman president of Ireland. Maybe we should examine whether it would work here. I believe that the select committee on Ontario in Confederation should be reconstituted to look at creative approaches to Senate elections.

The campaign we have just entered may be one of the most crucial that any of us has taken part in. We must deal with all the specific constitutional proposals, but we cannot lose sight of the package as a whole. We have always known that Canada is more than the sum of its parts, and so is this constitutional accord. It provides a reasonable working basis for governing ourselves, and that is the start we need, but from there it takes the will to make it work. You can't stand for ever on a corner waiting for a bus marked "Perfection."

I'm convinced that the likely alternative to this constitutional package would not be a tighter or more centralized form of federalism but a much looser and more decentralized one. The alternative, whether it should be separation or sovereignty association or some alternative as yet unthought of or undefined, could well be one in which many issues and many people would be lost in the process, and that would be a tragedy, because one thing we have evolved in this country perhaps better than anyone in the

world is a system of government that respects people and their needs.

Canada is a unique nation because it was founded on a unique commitment. The English and French founders of this country could have engaged in civil war or they could have tried assimilation. Instead, they decided to learn how to live together, side by side, as one nation, respecting their differences. We have learned to do that as a people. Indeed, we've translated that into an understanding of differences among people around the world. We have learned to coexist.

The special qualities that allowed us to grow as one nation are something to be proud of, something to maintain and not to cut short. A Yes vote, I believe, will allow that to continue and to flourish. I believe that we need to recommit ourselves unequivocally to this country and what it stands for. This commitment may be seen to be based on intangibles, but these intangibles offer a great many tangible advantages. A lot of investment is here, a lot of jobs are here, a lot of people are here because Canadians and Ontarians have a reputation for being able to work together.

This constitutional accord that is before us, in my view, reflects the capacity for understanding, for tolerance, for compromise, that truly is our essence as Canadians. Reaching an agreement that binds together a nation as diverse and as complex as Canada is indeed in itself a significant achievement. We should endorse it and we should step with pride and confidence into our future.

Mr Michael D. Harris (Nipissing): I believe that for far too many years Canada has been engaged in an intensive process of constitutional self-examination, and I also believe that once again we have arrived at a moment in time when we have an opportunity to finally complete a round.

For many in this country, the process of repatriation has never been completed. I believe that is a significant aspect of the agreement at Charlottetown and a significant difference between what some of us may want in the future out of our Constitution as opposed to what is there.

This process started in earnest in the 1970s. Repatriation technically took place in the 1981-82 round, but it has never been completed. The Charlottetown accord, to me, is the cumulative result of the most intensive and extensive process of self-discovery ever conducted by a country.

1430

To vote Yes in the October 26 referendum, in my view, will substantially bring to a close what can only be described as an era of national uncertainty. Certainly there will be continuing discussions and negotiations, first of all to bring into effect that which we have agreed to and that which we may wish to pursue in the future. This is not the end of constitutional discussion but this, I believe, will bring an immediate end to a sense of uncertainty both within and outside of Canada over whether we can move forward, all Canadians, and arrive at a consensus on anything.

In the October 26 referendum, a Yes or a No vote is the right of every citizen. That hasn't been talked about very much today and I want to talk about it. If politicians do not

believe that what they propose can stand up to public scrutiny, they should not then pronounce it finished, nor should they attempt to bully others into agreement. I have great confidence in the Canadian people; I've great confidence in Ontarians. I believe that if 5 or 10 or 15 years, perhaps some of us will wish 20 years from now, we get into further constitutional discussions, we should look at the amending formula and a process of allowing Canadians an opportunity, with or without their politicians, to participate in that review.

For my part, I will vote Yes in the referendum. Quite frankly, you all know, and it's a matter of record, that this is not the deal I would've sought to negotiate. My caucus knows that; the Premier knows that. The Premier and I have different political philosophies which come into play in the constitutional discussions as well. We often disagree, but I respect that this is not entirely the deal that the Premier, could he sit down and write one himself, or his cabinet or his caucus or his party, would've wanted either. Neither is it the deal that any single participant to these discussions sought.

But this is a deal which was unanimously agreed to and, as such, is something that I believe we can all live with and work with. I will vote Yes because I believe it is the best deal possible at this particular point in history. If I were to vote No, I would be saying with that vote that it's possible to negotiate something else with unanimity, something more to my liking, something better that will not only be better from my point of view, but will also be better if unanimously agreed to across the country.

I am absolutely convinced, from my involvement inside and outside, looking and listening and talking to Canadians, actively, certainly, since 1981 when I was first elected, that there is not a better deal waiting out there, with unanimity to be had, anywhere in this country. There may be logical reasons why some will vote differently than I plan to vote, but I do not believe that anybody with any experience in discussions across this country can say there is a better deal and that this is the reason why they are voting No.

There are some aspects, I've said, that I as an individual do not particularly like. Those are a matter of record, and I want to comment briefly. I believe this must be examined as a whole; I believe very strongly in that. When we are dealing with a Yes or a No vote, we're not dealing with the negotiations of individual aspects; we're now dealing with the package as a whole.

Second is something that isn't talked about very much and that I want to reiterate today. I think of aspects that I encouraged the Premier to talk about: property rights; the economic union; the dropping of interprovincial trade barriers, which leads to the lowering to consumers in this country of \$6 to \$10 billion in prices and which increases our companies that want to compete outside of Canada by \$6 to \$10 billion. I believe these economic discussions are crucial for us, and we achieved no gain in this round in the Constitution to that.

However, I believe very strongly that where there is a will, we will accomplish these. We will drop the interprovincial trade barriers and we will forge a new economic union, whether it's in the Constitution or it's not. I believe,

for those who look at individual aspects and say, "Explain to me what's in this for me," "There's a country in this for you. If you were looking for something in the Constitution individually, you were looking to the wrong place. That's not what a constitution is for."

For those who seem concerned about social programs or national social programs, I say to you, and I believe this 100%, that if there is the money and if there is the will today, 5 years from now, 10 years from now, 25 years from now to have a program, we'll have it. If there is not the will, we won't—I don't care if it's in the Constitution or not.

When we look at individual aspects that may concern us—there has to be at least one that would concern every Canadian and he or she would say, "Well, that's not my first choice"—I ask people to put it into perspective. I ask them to consider, as I have always mentioned in these discussions, other countries which have marvellous constitutions but no will to uphold them or enforce them, or they don't have the money to do so, and they do not.

I've asked them to consider countries like Great Britain where the last written word was in the 13th century, the Magna Carta. Never yet have I found people from Britain who didn't have disagreements, somebody from Scotland or Ireland or Wales, but they always knew what it meant to be British, they always knew what it meant to be Scottish. They didn't have to write anything down. They didn't have to have a written document to have a sense of country and what it meant.

I believe that if Canadians and Ontarians will look at this package as a whole as opposed to each individual item, and if they are looking at individual items that they will put it into the context of how important is a constitution anyway to achieve that individual objective that they're looking for, you will find that it is people themselves, the will and the determination of the people elected and non-elected at any given point in time, that will determine social programs, barriers interprovincially and economic union. If there is a will for natives to have more say over their lives, we will give them that whether it is in the document or it is not.

If this then is examined as a whole, if we look at the individual aspects that way, I agree with the leader of the Liberal Party that it's most important that we give both the straight facts and how important each aspect of it is to Ontarians to help them make up their minds. They have a decision to make; we've given it to them. I think that's as it should be. They need the information. They also need to know what isn't there.

I was distressed to learn a number in British Columbia have a sense they want to vote No because they disagree, as I do and as the leader of the Liberal Party does, with achieving gender equality by a quota. That's not in this deal. If you disagree with that, if you disagree with the Premier's stand on that, take some comfort that I don't think by the time the vote comes he'll be Premier.

Take some comfort that it's not written in the Constitution. Take some comfort that it will be the Legislature of the day when the vote finally takes place for the election of senators. That can change with the political party of the day and with the will of Ontarians of the day. There is

nothing in this Constitution that suggests that is how we will elect our senators. I do say that the first vote for senators, in my view, will take place after the next provincial election. We can deal with issues like that at that time. Let's be honest and upfront and straight and make sure Ontarians understand what's not in the deal and not confuse the issues with those.

1440

As a whole, this package will bring us further forward than any previous negotiation ever envisioned. It is a much more far-reaching document than Meech Lake. It truly represents the interests of all provinces, of the territories and of the peoples of Canada. It does not meet all the needs of any one group in our society but it does, as a unanimous document, attempt to meet some of the needs of all Canada.

It has been said that it was the Canada round. This agreement has a number of benefits and improves upon our existing Constitution in many, many ways.

It includes the Canada clause, which says who we are as a people; it includes a social and economic union that says what we expect from our nation and its leaders; it brings Quebec into the fold, and it reforms the Senate, replacing a mothballed, decrepit institution more fitting for a museum than a government with an elected chamber responsible to the people. It clarifies the relationship between federal and provincial governments. That's what a Constitution is to do: set out a framework for how we'll operate, federally and provincially, who has what jurisdiction, who has what powers.

It recognizes that our aboriginal people did not automatically relinquish their rights as a people when the Europeans landed. The most practical advantages to all citizens of this agreement is that it will help bring the uncertainty to a halt. The political efforts of a generation have been spent now to reach constitutional agreement, and these are efforts which would have been, I believe we would all agree, better spent working on our economic growth, on education, on jobs, on our future, on our social wellbeing.

With this agreement it once again becomes possible for our political leaders to turn their attention where it is needed: the day-to-day operation of this country. The larger benefit, as Professor Peter Russell has pointed out, is that it "consolidate(s) the will of Canadians to continue together under constitutional arrangements that recognize and accommodate the fact that they are a truly federal people marked by deep diversity."

Hopefully, we can stop our self-examination and get on with being a country and get on with securing a future for all Canadians. That is why the referendum vote, which I have fought for since 1990, is indeed important. During the Meech Lake debate, Clyde Wells of Newfoundland stated, "The Constitution belongs to the people of Canada—the ultimate source of sovereignty in the nation," the people of Canada. It's their Constitution. Finally, the people have the right to accept or reject their Constitution.

When the Fathers of Confederation put forward the BNA Act, it was a document not of the people but of the British Parliament. In 1982, when Canada's Constitution was patriated and the Charter of Rights was added, consent was not sought from the Canadian people or the provincial

legislatures. The final ratifier, as in 1867, was the British Parliament.

Through this vote on October 26 if it's endorsed, and I believe it will be, the Constitution of Canada will truly then become a document of the people, not of any one political party or politician. I think that is very important as well for Canadians to understand, that they now have an obligation. They are not voting for Lyn McLeod, Mike Harris or Bob Rae, or Brian Mulroney, Jean Chrétien or Audrey McLaughlin. They are voting for this, their Constitution. That is an obligation of the people of this province. We must encourage them to pick up that obligation and make the most informed decision they can.

I believe the Charlottetown agreement is the best next step available to Ontario in Confederation. Not just for Canada—I think it's also the next best step available to Ontario in Confederation. It goes without saying that I believe it is the best step for Canada.

Whether or not we choose to take that step forward is now up to the people of this province. It is up to our fellow citizens all across Canada, because now we all have an equal and a direct say. Every Canadian, every Ontarian eligible to vote has an equal and direct say in where we as a country and Canadians as a people go from here.

So, Mr Premier, and to the leader of the Liberal Party and to all Ontarians, I want to say that, for me, a Yes vote is a step forward, and I say that we can and we should take that step forward together as a country.

The Speaker: The Leader of the Opposition.

Mrs McLeod: Mr Speaker, may I ask unanimous consent of the House to recognize the contribution of the former member for St George-St David?

The Speaker: Agreed? Agreed.

IAN G. SCOTT

Mrs Lyn McLeod (Leader of the Opposition): Politics takes unexpected turns at times, as I think we all know. Ian Scott did not expect to come into government when he ran in 1985, and I certainly did not expect, as I watched a new government take office at that time, that I would be rising in the House one day to recognize the contribution to that new government of one of its newest stars. But, Mr Speaker, Ian Scott came to epitomize for me almost the spirit of that new government, and I know you will understand a certain bias if I describe the essence of that government as being one of intelligence, progressiveness, readiness for change, bringing a commitment to human rights, to civil rights, concerned about people.

I believe Ian Scott was exactly the kind of person we want to attract into politics: a person who was ready to set aside a successful career in order to make his contribution to public life, a person who was constantly engaging the depths and the demands of the most complex public policies, but a person too who cared genuinely about his constituents, a person whose interests ranged from the concerns of Cabbagetown to the other realities of Rosedale.

Perhaps this is what I most appreciated about Ian Scott when I joined the government in the cabinet in 1987. Mr Scott's record of achievements on major issues is well

known, but very few people saw the kind of attention Ian gave to virtually every issue that came before the cabinet. There was absolutely nothing that was too minor to escape Ian Scott's questioning. There is no doubt that the former member for St George-St David believed absolutely in the responsibility of cabinet, and he was prepared to scrutinize and to debate every issue, sometimes just to be sure that a debate had indeed taken place. Ian Scott, I think it can truly be said, was indeed our caucus's best critic, even when he was in the government.

Some people, seeing the hard work of the former member for St George-St David, seeing the responsibilities he was asked to assume when in government, seeing the breadth of the initiatives he introduced, have tended to call Ian Scott the minister of everything. Most would probably think of him primarily in his role as Attorney General or as a constitutional adviser, but I think of Ian Scott most often as minister of native affairs, responsible for the first land claims settled in Ontario in 150 years.

The former member for St George-St David was perhaps the best kind of politician: an idealist without illusions, with a capacity for vision as well as for practical management, and bringing always to it all a constant sense of humour. We are grateful for his contribution, we are truly sorry to see him go, and we will not let him get very far away.

1450

Mr Ernie L. Eves (Parry Sound): I am pleased to respond on behalf of our party. I for one am not surprised that Ian is not here this afternoon. Ian is the type of individual who never sought publicity or notoriety, but it always seemed to find him, one way or another.

I have some different recollections, perhaps, from the leader of the official opposition of Mr Scott, both in and outside of government. As I recall, Mr Scott was initially a member of a rather prestigious NDP law firm, named Cameron, Brewin and Scott, which did a lot of work in labour law in the province of Ontario. Somewhere along the way, he had a conversion to the modified socialist party in the province of Ontario, and seemed to be successful in at least his political endeavour in that regard.

My first contact with Mr Scott actually was as a practising small-town lawyer in Parry Sound. I had negotiated a contract. I wouldn't exactly call it a labour contract, but it was a contract for the commissioner of the Ontario Junior A hockey league. During the course of those negotiations, we had insisted that we receive independent contracts with each of the 12 owners of the teams. Matters being what they were, this individual ran into some difficulty and dispute with the owners, who wanted to retire him rather not so gracefully, and we had to act upon suing the individuals who had guaranteed his contract, including the illustrious Mr Ballard from time to time. We sought a lawyer who was renowned in defending people's rights and knew something about employment standards and labour practices: We sought out Mr Scott, who brought the case to a most gratifying conclusion for all concerned, including himself, I might add.

Ian served as the Attorney General for the province of Ontario for some five years, and he was the minister responsible for native affairs. I don't think there is any member of this chamber who will deny that Mr Scott was indeed one of the great attorneys general in the province's history and did a lot for aboriginal rights. Mr Scott was also responsible for introducing and taking some landmark steps with respect to pay equity, freedom of information and protection of privacy, and family law reform. The Ottawa Citizen—although I'm not so sure the member for Carleton would agree that anything the Ottawa Citizen had to say was a compliment—called him "the workhorse of the Ontario government."

Unbeknownst to me, Ian also had a great academic, or teaching, career. He taught in the faculty of law at the University of Toronto for more than 15 years. He even took a year's leave of absence and became a full-time faculty member of the faculty of law at Queen's University. He's been the Goodman lecturer at the faculty of law at the University of Toronto. He's been the Cunningham lecturer in business and law at Queen's University. He served as counsel to the Berger commission and to the Grange commission. He is an elected fellow of the American College of Trial Lawyers and the International Academy of Trial Lawyers. As the leader of the opposition has pointed out, he was also very involved in community activities. He's been a director of the Canadian Civil Liberties Association, the Canadian Environmental Law Foundation, and the United Way of Metropolitan Toronto. He was the founding president of the John Howard Society of Metropolitan Toronto.

Some of us will miss Mr Scott more than others. I won't miss him a bit on occasions, but we will always miss his wit.

Hon Bob Rae (Premier and Minister of Intergovernmental Affairs): Ian Scott has been a friend of mine for nearly 20 years. I know that my colleagues who have only met Mr Scott since we formed the government would find it hard to believe, but Ian was my teacher in law school. He was a very firm supporter of mine when I first ran for Parliament. I have the cheque stubs to prove it, and I more than occasionally threaten to remind him of that.

He comes from a very distinguished political family. I think it would be his great-great-grandfather, Richard Scott, who was one of the leaders of Confederation and was the person who moved the legislation which established public support for separate schools in the province of Ontario, Upper Canada at that time.

Ian's contribution to the province and to Canada is truly remarkable. When I was at law school, he was just going from being the counsel to the Berger commission to being counsel to the Lissett commission. He was somebody who had an enormous feeling for the whole country. Of course, he worked very hard in a very distinguished firm, the firm of Cameron, Brewin and Scott, which at that time was a very eclectic firm; it had people from all political persuasions, and was a very lively law firm. I articulated with a rival firm.

I've heard Ian Scott argue in court. I've heard him argue before the Supreme Court of Canada on constitutional

cases. He is a brilliant advocate, one of the great advocates in the appellate courts in the country, and would be so regarded by anyone in the profession.

As a teacher, I just mention, he was tough, he was critical, he was iconoclastic and he helped me learn something of labour law. So when we get to talking about labour law, I'll be glad to tell you some of the views of Mr Scott, which perhaps he shared with you privately, with respect to how really dramatic the legislation is that we're bringing in.

He cared deeply. Perhaps I'm projecting a bit, but in terms of when he decided to retire from politics, I think the thing he felt most strongly about was saying goodbye to his riding, which I think is, for all of us, perhaps the hardest thing to do. I know when I ceased being the member of Parliament for Broadview-Greenwood, I felt I was losing part of my body in not still being the member there. I think Ian's feeling for his constituency, for all of its parts, really is quite genuine and is something he was able to represent very effectively.

We got to know Ian politically, many of us, through the negotiations on the accord in 1985, where he was one of the negotiators on behalf of the Liberal Party. Those were exciting times, for some a little less exciting than for others, but for us it was exciting. I can remember that the Premier-elect or the Premier chosen, as it were, Mr Peterson—there was a brief time there when we did get consulted regularly—asked me directly who I thought should be the Attorney General. I told him very directly, "There's only one candidate, and that's Ian Scott." I say that without offence to any of those on the other benches who might have aspired to the position.

Ian was and is a relentless partisan. People talk about how he might have been a CCF or whatever. He is a very determined Liberal who felt very strongly about the role and obligation of the Liberal Party. I think it is fair to say he also felt very strongly about the role and obligations of a member of government and the role and obligations of a member of the opposition.

As a member of the opposition, he was tough, relentless. I would use a number of other adjectives, but I see the member from Scarborough has now taken his seat; there's an extraordinary change in the volume level from the seat which Mr Scott used to occupy.

I'm sorry he's leaving partisan politics because I think he had a feel for it and had a lot to contribute to it. I think he was, if I may say so, a bit frustrated to be out of government and felt he'd had his time as the Attorney General for five years, where the accord allowed him to do a lot of things he wanted to do and where I think he was most suited to being able to do them.

1500

As I've said on other occasions, Mr Scott has had some very harsh things to say about me in the House. I'm sure there would perhaps be times and moments when I might have had some harsh things to say about him. Such is partisan politics and such is partisan life.

But Ian, while he was in political life, played it to the full, and I think all of us who have both worked with him and, yes, worked against him, been the object of his rapier

wit as well as his abrasive incisiveness, recognize very much that he was in his good days a gentleman, but always a player, and somebody whom I think we have learned—I certainly have learned—to respect. I've learned a lot from Ian Scott, as a student, as a politician and as a colleague.

I just would say to honourable members that I think it's perhaps important as we enter into yet another session that we reflect on the fact that there is life beyond: before, during and after politics. The way in which Ian left office, writing me a personal, very kind note saying all sorts of things which he would never dare say publicly, and certainly never say in this House, both about me and about our government, allows me the opportunity to reflect on some of the things that are said here and how they have to be put in a certain degree of perspective.

The Speaker (Hon David Warner): I too will miss the honourable member for St George-St David. Your kind and thoughtful comments will be forwarded to Mr Scott.

ORAL QUESTIONS

UNEMPLOYMENT

Mrs Lyn McLeod (Leader of the Opposition): We must now turn to the one question that could lead this session of the Legislature, because it is the one question above all others that people across this province are asking. It's the question that's based on the fact that Ontario's unemployment rate now stands at 11.3% and that 609,000 people in this province are out of work. It's the question based on the fact that as the St Catharines Standard says today, 547 people a day are losing their jobs in this province.

In light of these facts, will the Premier now acknowledge that he has no real job creation policies and that his policies in fact are putting more people out of work? Will he acknowledge that his government is offering no help and virtually no hope to the people who are out of work in this province?

Hon Bob Rae (Premier and Minister of Intergovernmental Affairs): I can say without hesitation that this government is doing everything it can. We are mobilizing through the Jobs Ontario fund, through the Jobs Ontario Capital fund, through the youth training funds, through the work that we're doing with the private sector. We are working very hard to deal with what is a very difficult situation. The recovery in the American economy, the European economy and the world economy has not happened to the extent and to the degree that was anticipated and hoped for. That is a reality.

The member spoke earlier about how we live in an international society. That's exactly right. When practically 35% of our GDP depends on our trade with the United States, and when we see the economic conditions that exist in the United States, it is literally impossible for this province to avoid the impact of that kind of recession around the world. We've gone through a difficult structural time. I want to say to the member that she knows that perfectly well.

The Speaker (Hon David Warner): Will the Premier conclude his response, please.

Hon Mr Rae: She also knows that companies are in fact making decisions to invest in this province, that we are continuing to attract the massive proportion of investment in this province compared to other parts of Canada and that we are doing whatever can be done to deal with the impact of this recession in this province. She knows that perfectly well.

Mrs McLeod: I have to say, with a real degree of sadness, that it seems to me that the only jobs that have been created by the Premier's job creation programs are for the PR firms on Bloor Street. I'm asking the Premier to respond to the realities of people across this province. During the course of this summer, 33,000 more Ontarians lost their jobs. Stelco, as he well knows, has just laid off 1,000 people. Today we have learned that TRW Vehicle Safety Systems will lay off 194 people in Penetanguishene and General Motors will lay off 400 people from jobs in its Windsor plant. It is becoming a daily occurrence.

This government said in its spring budget that it would create 125,000 more jobs. Mr Premier, your predictions were wrong. Your answers don't respond to the realities of thousands of people in this province out of work. How can you possibly keep talking about the success of your job creation programs when more and more people are losing their jobs?

Hon Mr Rae: Let's look at the real world. You cited two examples. Among others, you cited GM and Stelco. If you talk to people at GM and Stelco, what do they say? They're not looking simply to an Ontario market; they're looking to a North American or world market. That's the reality.

Mrs Elinor Caplan (Oriole): They're losing their jobs. They're saying: "Am I going to have work? Am I going to have a job tomorrow?"

The Speaker: Order.

Hon Mr Rae: There is a structural change going on that we are affected by, as are others.

You then say, "What's happening?" GM's a good example. They are in fact investing more here than they are elsewhere. Ford is investing nearly \$2 billion here, in contrast to what's being done elsewhere. Chrysler production of the mini-van and of the new cars is happening right here in Ontario. The Leader of the Opposition may want to make a profession of preaching doom and gloom, but I can say to the honourable member that in a difficult time and in a difficult world, this province and certainly this government are doing whatever we can to keep people working, to put people back to work: \$4 billion of capital investment being put into the economy by this province, by this government. The member knows that. Those are the facts she's not telling people, those are the facts she's not releasing in her questions and those are the facts she ought to be sharing with the people of the province of Ontario.

Mrs McLeod: If this Premier were really ready to talk to and listen to business, he would hear business say to him, "We are investing in this province in spite of your government's policies." I suggest to the Premier that although he has not created any new jobs, he has certainly kept very busy looking at at least 63 new ways of taking

money from Ontarians, from making farmers pay for licensing fees for their tractors to having northerners pay their motor vehicle licence fees again. It's hard to believe that this government hasn't realized that more taxes mean more lost jobs. Premier, can you simply tell us here today how 63 new taxes are going to put out-of-work Ontarians back to work?

Hon Mr Rae: Now we have the truly goofy economics coming from the side opposite. They say: "We want you to spend more money. Spend more money on job creation. Certainly do that." Then the second thing they say is, "Get your deficit down." That's the other thing they're saying. Then they say, "But whatever you do, don't raise any taxes and don't raise any revenues." That is the party that left this province with an \$8.2-billion structural deficit. That's the Liberal Party. That's the price we paid for those years of Liberal misrule. You have a nerve talking to us about fiscal responsibility.

Interjections.

The Speaker: Order.

Interjections.

The Speaker: New question, the Leader of the Opposition.

Mrs McLeod: When you have no defence, you try to mount a phoney attack. It has absolutely no ring of truth and the Premier himself can't keep a straight face when he uses the line. That's an issue we will continue to return to on virtually a daily basis during the course of this Legislature until we start to see people in this province getting back to work.

1510

LANDFILL

Mrs Lyn McLeod (Leader of the Opposition): Today it's important for me to turn to another issue which is of tremendous concern to a group of people I spoke to outside the Legislature over the noonhour. These are the people who are very concerned about the minister for garbage's handling of the landfill site issue.

I ask the Premier to address this question because, with all the concerns these people have been trying to make the government hear, we now hear that the Interim Waste Authority has announced that the short list of the potential landfill sites is going to be delayed until the end of November. It's important the Premier understand that at the same time that announcement was being made the minister was publicly stating that the short list would be released at the end of September. Premier, who is in charge here? What do you say to all those people who now have to put their lives on hold for another two months while they wait for some kind of decision?

Hon Bob Rae (Premier and Minister of Intergovernmental Affairs): I'm going to refer that question to the Minister of the Environment.

Hon Ruth A. Grier (Minister of the Environment and Minister Responsible for the Greater Toronto Area): I'm happy to answer the question and to inform the Leader of the Opposition that this government is in

charge of a waste management plan for the entire province that has an emphasis on waste reduction—this happens to be Waste Reduction Week; let me draw it to everyone's attention—a plan for waste reduction and waste management that is working across this province.

With respect to the decision of the Interim Waste Authority to delay the announcement of the short list of sites for the greater Toronto area, I have to say to that member that as I'm sure she's aware, the response to the first list, the long list, that was put out was enormous. There was a great deal of concern and very genuine and sincere worry on the part of the people whose property was identified by the Interim Waste Authority as a potential landfill site or who lived in the vicinity of that property.

When I met with those groups, they asked for more time and they also asked for a very careful evaluation of their comments. That evaluation of their comments is taking longer than I had hoped and longer than the Interim Waste Authority had anticipated, but I agree with its decision that it's important that what people have said be taken into account. It's critically important that the job be done fairly and correctly.

Mrs McLeod: If this minister was in fact in charge, if anybody is in charge in this absolutely atrocious situation, she would surely be ready to acknowledge that the release of the short list was delayed because the criteria that were used in the selection process were not evenly applied to each site. Minister, will you acknowledge that the site selection process has been badly botched, that you now have to repeat a sizeable piece of work at an additional cost of some \$7 million, all for a policy that didn't make any sense to begin with?

Hon Mrs Grier: I certainly am not prepared to confirm that. The Interim Waste Authority's criteria have been well debated, challenged and discussed, and that is what the environmental assessment process requires. I remind the member that our government is putting new landfill sites under the Environmental Assessment Act. The previous government was opening new sites without an environmental assessment. It perhaps takes longer, but it does mean that when the final decision is argued before the Environmental Assessment Board, a fair and open hearing, all of those issues will be canvassed and a fair environmental decision will be made.

Mrs McLeod: This minister has consistently tried to distance herself from a mess she herself has created. Let me assure this minister that the people who are outside the Legislature today are here to protest the way in which you personally have handled the landfill site issue. You cannot distance yourself from the incompetent way in which the Interim Waste Authority, which you yourself set up and which you appointed three assistant deputy ministers to be part of, has handled the issue.

Minister, I ask you very directly, how can you explain to these people why your Interim Waste Authority took aerial photographs of farm land in the winter and then told farmers this was not productive farm land and could be used for dump sites? And can you further explain, Minister, why

you would even be considering sites that have already been ruled out as environmentally inappropriate?

Hon Mrs Grier: For a member of the previous government to say that the problem with waste in the greater Toronto area began with this government is completely insupportable.

The history of decisions with respect to waste, not just in the greater Toronto area but across the province, beginning with the government of the party that is now in third place in this House, continued by the party opposite, is a legacy of political interference short—

Interjections.

Hon Mrs Grier: Mr Speaker, I would like to address briefly the issue of the use of agricultural land, which I know is the issue that the people who were here today are very concerned about, as indeed are people throughout the province. I want to say I'm very proud of the record of this government in dealing in a holistic way with the issue of how to protect agricultural land. My colleague the Minister of Agriculture and Food has done more than any of his predecessors to do that. My colleague the Minister of Municipal Affairs is dealing with the issue of how to stop the sprawl over agricultural land and with the question of the weight to be established for agricultural land, protected environmentally sensitive lands, access to transportation, proximity to development. All of these issues will be weighed, will be argued, will be evaluated for a very fair and open hearing on this particular issue at the end of the day.

1520

LABOUR LEGISLATION

Mr Michael D. Harris (Nipissing): My question is to the Premier on his job-killing labour legislation. Premier, let's face it: Regardless of the posturing by the Minister of Labour, you know you have no intention of making any significant changes to Bill 40. Your public hearings, in fact, have been a sham. Even your own NDP committee chairman admits there will not be substantial changes. That is what he publicly told the groups appearing before it this summer.

Everyone who is in a position to create jobs in this province is telling you that this legislation will kill jobs and will kill investment.

Premier, you've had the summer to do your homework. I would ask you if you have finally done an impact study. If so, will you share it with this House today?

Hon Bob Rae (Premier and Minister of Intergovernmental Affairs): First of all, I just want to say that the whole assumption in the member's question—his description of the legislation, first of all, even his description of the process in which we as a government have consistently shown, through the consultation process, a willingness to listen, a willingness to change the legislation from what was originally put forward in discussion papers to what was then put out by the government in the next discussion paper, and today the minister is announcing in the committee a number of changes which we are in fact going to be making to the legislation, which relate to concerns that have been raised both by business and labour, as well as a

number of technical amendments. So it's very hard to credit the kind of questions which are being put forward by the honourable member when they're based on such really very faulty assumptions.

If he's referring to the studies that have been cited in the various advertisements that have been out, the so-called 295,000 figure which has been thrown about by various corporate lobbyists out there, I want the member to know that's based on a survey done prior to the introduction of the legislation in which questions were asked about proposals which were never in the law put forward by this government. That is what we are having to deal with in terms of the kind of misinformation about this law that's being spread about by the friends of the member from North Bay.

Mr Harris: Because it was paid for by a previous government, that means you should cover it up and not release it; is that what you're trying to tell us? Premier, by your own admission, I say to you, you should be ashamed of yourself to come back to this Legislature today without an impact study of your own. You do impact studies on everything from bicycle trails to wildlife to ants to a fish in Lake Nipissing, and you will not do an impact study on the most important issue facing Ontarians today.

Premier, I have 1,300 letters here addressed to you, individual letters. A page is right here. I'm going to ask if he will take those over. Tell your Mom you'll be on TV tonight, Josh. Some 1,300 letters. One of the letters I have right here says:

"Dear Mr Rae:

"Enjoy your last two years in office. Please don't tighten the noose much more, or there will be no companies to pay the unions and there will be no taxes to pay you."

Premier, will you listen to what Ontarians are telling you? Will you scrap this plan before we lose any more investment and jobs in this province?

Hon Mr Rae: I am of course saddened but I'm not surprised that the leader of the third party would be voicing the rhetoric of pessimism and fear, which I think, frankly—

Interjections.

The Speaker (Hon David Warner): Order.

Hon Mr Rae: Having spent some time in opposition, I can tell the honourable member that if there's one sure way to continue to be seen as a source of negativity, of pessimism, of simply criticism and not of any constructive advice, it's to persist in the way in which the member is going.

We are listening to people, we are reforming, we are adding to the legislation, we're making it better all the time. I don't happen to think legislation that permits people to organize and permits people to express themselves in the workplace is something that any employer or any business should fear or should worry about or should see as a threat. It's not any of those things; it's a positive, effective way to encourage more participation, more democracy, a better deal for women, a better deal for minorities, a better deal for people who've been left outside of

our economy for far too long. That's what this legislation represents.

Mr Harris: The majority of those 1,300 letters come from Ontarians who either do not have a job or who are concerned about losing their jobs.

Premier, the fact of the matter is that the wealth creators, the investors, those who can create a job—their opinions are what is important. You and Bob White are not investing five cents of your own money to create a job. What you think does not influence who will invest the money and who will create jobs in this province, and you'd better soon understand that.

You won't listen to those who came to the public hearings. You won't listen to the wealth creators. You won't listen to the investors. You won't listen to business people. Maybe you'll listen to a leading business publication outside of Canada. Forbes magazine has just told the world that Ontario is not a good place to invest. I didn't tell them; Forbes magazine is telling them. They're saying in a recent article that it's "A Lose-Lose Situation." Forbes magazine, to be circulated worldwide this week and next week, is saying: "The economy in Canada's most industrialized province is in bad shape. A new labour law promises to make things worse." Premier, in this article they're saying it is not a good idea to do business with this province because of your disastrous policies and the labour legislation. This is a magazine that goes to all the wealth creators and potential investors around the world.

We are at a crisis point. Premier, I ask you this: What more will it take for you to listen and realize that you are killing jobs and killing investment every day you persist with this disastrous policy in this province?

Hon Mr Rae: I'm afraid I don't agree with the honourable member. He asks, "What are you doing for the wealth creators?" In my view, everyone who works for a living in this province is a wealth creator. That may well be where the member and I have a difference. I say it's the obligation of government to listen to everyone, not just to those who have the money to put the ads in the newspapers, not just to the people who have the money to put the ads on the billboards. Our obligation is to listen to all the people and our obligation is to provide a degree of balance in the workplace. George Drew understood that. Leslie Frost understood that. John Robarts understood that and Bill Davis understood that. You've taken the Tory party in this province so far to the right that it doesn't even know which way to turn and so far away from the sense of creating a balance in this province. There's no threat to jobs in this legislation; everybody knows it.

Mr Harris: Premier, I want to say to you, as a preface to my second question, that you are no George Drew, you are no Leslie Frost, you are no John Robarts and you are no Bill Davis. You are destroying this province. They built this province. Those were builders. Those were premiers who brought people together.

The Speaker: Would the leader place his second question.

Mr Harris: You are a destroyer, a job destroyer and a wealth destroyer and you are destroying this—

The Speaker: Order.

Interjections.

The Speaker: Would the leader of the third party place his second question, please.

Mr Harris: The Premier says he has an obligation to listen to all the people. Premier, I've been travelling around this province for the last two months; I've been listening to the people. I can tell you this: The people's agenda in this province is jobs, yet your priorities have nothing to do with jobs for the people and have everything to do with giving greater powers to the unions and to the NDP. Premier, you campaigned on the Agenda for People and I've been out there listening to them and their agenda is jobs. Can you explain to me why this agenda for the people over two years has shifted to an agenda for the unions and an agenda for the NDP?

Hon Mr Rae: I have been reliably informed by the various ministries that in the last year and a half more than 100 companies have announced more than \$5 billion of new investment in Ontario.

Interjections.

Hon Mr Rae: They don't like the good news. They don't want to hear it.

The Speaker: Would the Premier take his seat, please.
1530

Interjections.

Mr Murray J. Elston (Bruce): Mr Speaker, are you tired of sitting?

The Speaker: I need the exercise. Premier.

Hon Mr Rae: The other aspect of our agenda that again I think we want to stress is that this year, in the face of a very difficult fiscal climate, which we're all aware of, this government has increased its funds for training by some 24%. We're now spending nearly \$1 billion as a government on training. We're spending more on training and opportunity for workers, for working people, than any government in the history of the province.

This is the contribution. This is what we are trying to do. We're trying to direct investment into the future. We're trying to direct investment by getting people to get together. We've had labour, management, business people, government people, university people working creatively together on the Premier's councils. We have them working creatively together sector by sector, example by example.

Mr Chris Stockwell (Etobicoke West): Do you get it? There's food banks in universities, Bob. It's not good out there.

The Speaker: Order, the member for Etobicoke West.

Hon Mr Rae: I can only say to the member, the kind of exaggerated rhetoric he is allowing himself to participate in today doesn't add to the credibility of the discussion at all, not at all.

Mr Harris: I want to get back to An Agenda for People. Surely the Premier would agree with me, if he has done any travelling this summer, or if his cabinet has or his caucus colleagues have gone to their ridings, that the agenda the people are asking for is an agenda for jobs.

Your labour bill gives greater powers to the unions. You talked about training. Your whole training initiative is to give more power to the unions to decide where the training dollars will be spent. You're planning to force farmers to join a union. You gave the NDP greater control at Ontario Hydro. You want to expand the public service union. You placed your NDP friend David Agnew in charge of the civil service. Not one of these creates a single job. It has to do with the NDP agenda, and, Premier, I suggest to you in the strongest terms that is not an agenda for the people. They are concerned about their jobs.

I suggest to you as well, Premier, that you should have come into this House today with an economic plan to get Ontario back to work. That's what Ontarians told me they wanted me to come and fight for. That's the agenda they are asking for.

Premier, if you don't have a plan, I suggest you should move aside so that we can get somebody in charge in this province who will bring forward an agenda for people, an agenda for jobs, a plan to get Ontario back to work. Do you have a plan, and if so, why aren't we seeing it today?

Hon Mr Rae: When I move aside, the Deputy Premier will be taking over on the days I'm not here.

Again, you look at what this government has done in terms of its budget. You look at the proposals that are contained there on training. You look at the proposals that are contained there with respect to the future. You look at the proposals that are contained in the studies that are presented by the Minister of Industry, Trade and Technology with respect to industrial policy.

We have been more successful in the last year in bringing people together from all walks of life on the Premier's Council, in recognizing the need for all of us to invest in the future. That's exactly what we're doing. Those are the plans that are under way and those are the things that we're trying to do.

I say again to the honourable member, I don't think anything is gained by running the province down and by running our current situation down the way you are doing, the way you have consistently done in the House today. I don't think that contributes one iota to the creation of a single job in Ontario.

Mr Harris: Let's be very clear. I would never run Ontario down. I would never run her people down, past, present or future, which I think is brighter than many people give us credit for.

Run you down? You betcha that's what I'm doing. Run your policies down? You betcha that's what I'm doing, because you have presided over this province during a time when we have seen more job losses, more people on welfare, more food banks, more need for food banks, 500 full-time jobs disappearing every working day—today we heard over 500: 200 in Penetanguishene, 400 in Windsor—nearly 300,000 more people without work today than when you took over two years ago, over 60% more people receiving welfare than when you took over, yet you come back here today with no plan to get Ontario back to work.

The only plan you have, the only agenda, is a self-serving plan to increase unionization, to increase the

NDP coffers, to increase the control of the NDP and the unions in how affairs are going to be run in this province, and every day you've done that so far, we've lost 500 jobs on average. Every day.

Premier, don't you understand that the first priority for the people, their agenda, the agenda for the people that they are asking for, is jobs? They can debate later whether it's a union job or not—

The Speaker: Could the leader complete his supplementary, please.

Mr Harris: They want a job so they can argue about it. It's jobs. When are you going to give them an agenda for the people instead of an agenda for the NDP?

Hon Mr Rae: Where the member and I differ is that I think that's exactly what we're trying to do.

Mr Steven Offer (Mississauga North): I have a question to the Minister of Labour. Mr Minister, you will be aware that during our hearings on Bill 40, a great many individuals, groups and associations came before the committee with some serious and significant concerns with how the bill will affect the way in which they are able to carry out their responsibilities in this province.

Over and over we heard that workers should have the right, the freedom, to choose whether they want or do not want to be part of a union, that they should be able to do this free of coercion, free of intimidation, and that the way in which this can be accomplished is through a secret ballot vote with full protections in the Labour Relations Act.

My question to you, Mr Minister, is whether you will be bringing forward amendments on Bill 40 which will incorporate those concerns and which will give to the workers of this province the right and freedom to choose in a secret ballot whether they do or do not want to be part of a union.

Hon Bob Mackenzie (Minister of Labour): I'm surprised that the member doesn't realize that for some 30 or 40 years now we've had a system that gives workers the right to apply for a decertification or to object to a certification—that is not being changed other than the change in the petition procedure time—and that we are bringing in amendments to the bill. They'll be in the House and committee this afternoon and the member will see what the amendments are at that point in time.

The Speaker: Supplementary?

Mr Offer: I am not satisfied with the response by the Minister of Labour, because that minister did not spend one minute in the committee over the hearings to listen to the people and the concerns that were brought forward.

So my question to you by way of supplementary, Mr Minister: Would you please tell the members of this Legislature and those watching the proceedings why you are against giving workers in this province the right to choose whether they wish or do not wish to be part of a union, free from intimidation, free from coercion? Please tell us why you are opposed to giving to the workers of this province the very basic democratic right that all take as a given.

Hon Mr Mackenzie: The member should know that I'm not opposed to it. I think they already have the right to decide if they don't want a union, and you have a process that you have to go through and a certification process that you have to go through. That's still there, and I can't understand why the member is raising an issue that's probably one of the lower priority issues raised before the committee.

Interjections.

The Speaker: New question, the member for Markham.

Mr Harris: Freedom and democracy.

The Speaker: Order.

INTERIM WASTE AUTHORITY SPENDING

Mr W. Donald Cousens (Markham): My question is for the Minister of the Environment. Ontario is in a recession and the Treasurer has told all government ministries to cut costs, yet the Interim Waste Authority has been spending indiscriminately, all in the name of getting selected communities to like the idea of having a megadump. I'll tell you, people don't like a megadump and they don't like the megadump process. We like it even less when the Interim Waste Authority wastes our money.

The Interim Waste Authority spent \$100,000 on a TV broadcast that was never aired. The Interim Waste Authority spent money on printing a short list that was never released. They allocated \$750,000 on participatory funding, which is nothing short of blood money. They have spent millions of dollars on consultants who cannot get it together. For what? Bad service, delays and no answers. How can you defend such shameless spending?

1540

Hon Ruth A. Grier (Minister of the Environment and Minister Responsible for the Greater Toronto Area): By responding to the question, let me categorically state that the preamble to it is grossly inaccurate in many ways, but there is no doubt that finding a landfill, finding a disposal site, is expensive. It's expensive if it is to be done in a way that involves the people affected as much as possible, which is why we were prepared to offer participant funding, something that is not normally done and that is different from intervenor funding, which comes legally at the time of a hearing, which is why we believe that it is important that there be offices located in the communities.

As the member has known, the citizens have taken full advantage of the information that has been made available and participated in it. It is not a cheap process, but it is very important that it be a fair and an open process and a process that leads to a good environmental decision at the end of the day.

Mr Cousens: Garbage is all your response is and you are truly the minister of garbage. Today is Zero Garbage Day and you, Madam Minister, are in violation of it.

Time and again I have asked for a cost analysis on the dump selection process and so far you have not provided the cost to property owners, the cost to farmers, the cost to communities, the cost to construct the sites, the cost of expropriation and the cost behind the delay. I ask again,

how much more money are you going to sink into this sham, the IWA, and how much is this delay going to cost?

Hon Mrs Grier: I can't respond to how much the delay in the release of the short list is going to add to the cost, but I can certainly confirm, as the member has been told on many, many occasions from the committee hearings into Bill 143 to debates ever since, that the estimated budget for the Interim Waste Authority for 1992-93 is \$17 million. That is a great deal of money, but it is also the kind of money that is required to do a full environmental assessment throughout the GTA. But I do want to respond to his accusation—

Mr Cousens: It's not a full environmental assessment. Come on. You know it's not a full EA. You know it's not true.

The Speaker (Hon David Warner): Order, the member for Markham.

Mr Cousens: It is not.

The Speaker: The member for Markham, come to order.

Hon Mrs Grier: This week is Waste Reduction Week and I want to say to the member—

The Speaker: Would the minister take her seat, please.

Interjections.

The Speaker: Minister.

Hon Mrs Grier: I want to add to the point of costs that of course the cost of construction and preparation and going through the process will be recovered by the tipping fees. The member knows from the figures he is well familiar with that there is a lot of money to be made from garbage and that in the case of the site search by the Interim Waste Authority, that money, that revenue from tipping fees, will not only cover the cost of the site and the construction of the site, but also pay for very aggressive 3Rs activities within the GTA.

When he says that in Waste Reduction Week we are not dealing with the 3Rs, he does his citizens of the GTA and the municipalities of the GTA a real disservice because the progress that has been made and the targets that are being achieved throughout the greater Toronto area are something to be proud of in Waste Reduction Week, not to criticize.

WASTE REDUCTION

Mr Larry O'Connor (Durham-York): A lot of members here didn't realize that Monday, though we were scheduled to sit, there was a rally out front. Similar to the rally we had out front today, there was a rally Monday. Constituents from Georgina were here and while they were out front they gave me a petition that I'll present at the appropriate time.

Interjections.

The Speaker (Hon David Warner): Order.

Mr O'Connor: When they were out there, one of the organizers, the president of GAG, as it's called, Georgina Against Garbage, asked a question about our consumptive lifestyle and when we are going to do something.

Interjections.

The Speaker: The member for Durham-York will have the opportunity to place a question, and I would ask that he first identify the minister to whom he is addressing his question.

Mr O'Connor: My question is for the Minister of the Environment. I was presented with this petition on Monday at the rally, the demonstration that took place out front. They talked about waste reduction, they were very concerned about it, and when they came down they brought excessive packaging. In the address by the president of GAG, as it's called, Georgina Against Garbage, he talked about the consumptive lifestyle and that the bottom line of we do has got to be waste reduction. Minister, this is Waste Reduction Week, and I hope you can answer this plea from my constituents.

Hon Ruth A. Grier (Minister of the Environment and Minister Responsible for the Greater Toronto Area): I'm glad to answer the question and to deal, as I had in my previous answer, with the fact that this is Waste Reduction Week, and to say that I very much appreciate the emphasis that those people, who are very concerned about the search for a waste disposal site, are putting on what is the most important component of our waste management program, which is waste reduction.

I'm delighted to be able to tell the member that he can tell his constituents that the government of Ontario has a waste reduction plan. It's a plan that's fair, that's environmental, and that's showing results.

In 1992, more than 75% of the households in this province are participating in the blue box program, 55 municipalities across the province are now composting leaf and yard wastes, and almost 500,000 homes have backyard composters, 50% of old newspaper is being recycled, and 40% of the scrap tires that are disposed of are being recycled. Those are very real results from our waste reduction programs.

Mr O'Connor: That sounds really great, but it seems the onus is always on the consumer, or rather the consumer. In fact, the group is so responsible that when it left it gave me the fine paper off the side of the trucks because it doesn't have the capability of recycling it up in its municipality, so I'm going to recycle that here.

But what they really want to know, Minister, because they brought a lot of excessive packaging down with them, is when you are going to act on the initiative that the people who produce this excessive packaging—when are you going to get them to show that they've got a role in this as far as product stewardship goes?

Hon Mrs Grier: The member and his constituents are perfectly correct: The responsibility and the activity with respect to waste reduction has primarily, up until now, been the responsibility of individuals and of home owners. I'm glad to be able to tell him that as a result of the Waste Management Act, the regulations are well along in being prepared, and the consultation is completed with respect to regulations that will require industries, commercial institutions and institutions of all kinds to make their contribution to waste reduction.

We're seeing, for example, from the oil companies the kind of partnership agreements, such as the one I announced last week, whereby the purveyors of motor oil are now going to be taking back that oil for recycling; a very real willingness on the part of industry to do its part and to make sure that not only do we reduce the amount of waste we create, but we certainly reduce the amount of waste that's going for disposal.

1550

SKILLS TRAINING

Mr David Ramsay (Timiskaming): I have a question for the Minister of Skills Development today. As my leader earlier pointed out in the first round of questioning to the Premier, we all are aware that the Ontario economy is in very sad shape; in fact, the consequences are very tragic for the workers of Ontario.

Every time this government is criticized for its lack of economic leadership, training is put forward as one of the remedies required to rebuild the economy. I agree with that. Training is very important.

When asked what it is going to do about retraining the workers of Ontario, the government touts the Ontario Training and Adjustment Board as the remedy, as the solution for this training problem in Ontario. But it has been nearly one year since this minister announced the beginning of OTAB, and we still don't have OTAB established, let alone up and running, helping the workers of Ontario. Minister, when will you start getting on with the job of retraining the workers of Ontario?

Hon Richard Allen (Minister of Skills Development): There are some fairly straightforward answers to that question. Just very recently a \$34-million training agreement with the Ford Motor Co was put in place which levered a several-billion-dollar investment in that industry. With regard to a range of other programs we have in place, we've been working with laid-off apprentices, a \$6-million program. We've got trades updating, free programs going on all across the province to upgrade the skills of technologists and people training technologists.

With regard to the OTAB question, members opposite seem to think this is a kind of mechanical operation, where somehow you wave a wand and one day you have it suddenly in existence. This is a very interesting process which, through the course of these last eight months, has seen the following happen: For the first time, a province-wide business trainers reference group has been established to tackle the agenda from the business point of view; labour likewise; trainer education community likewise; visible minorities likewise; disabled community likewise; women likewise.

The whole network is now at a very interesting stage of development, where the nominations are coming to me for an interim governing structure. We'll be into the legislation this fall, and we'll be getting on with the formal structure of OTAB. But in the meantime, this government has not in any respect relaxed its efforts to promote the training of its citizens and its workers all across Ontario.

Mr Ramsay: As the minister is well aware, there are 609,000 Ontarians who are out of work today in Ontario.

You know, if you're not on social assistance, you don't qualify for Jobs Ontario Training fund, and that's a real problem with this government right now because there are a lot of people out there who aren't yet, fortunately, on social assistance who don't qualify for these training programs. Every three days we have a plant layoff here, and unfortunately 400 more people laid off today in Windsor. That's a shame.

When is the minister going to admit that OTAB is not working, that the plan you had to establish this partnership is not working because you're not getting the nominations for the establishment of that board of directors of OTAB because the goals aren't clear to the partners you've brought on side? When are you going to start to rethink this whole process and get down to work and get training available for the workers of Ontario?

Hon Mr Allen: I like the way the member wiped out all the social assistance recipients, as though we didn't have to worry about putting them to work. I like that.

The Jobs Ontario Training fund is working in every community across this province through community brokers, who are now linking existing jobs and existing employments with social assistance recipients and giving them jobs. In Guelph, for example, 231 jobs in one plant alone: people who weren't working are working now with the Linamar industry there.

Again, I repeat: There's nothing broken about the OTAB process. There's a very good discussion happening.

Interjection.

The Speaker (Hon David Warner): Order, the member for Oriole.

Hon Mr Allen: There are two or three disagreements, and they're being worked on. That's understandable. People who have never worked before on the training agenda will have some disagreement about how to get it in place. But the whole process is very much in sequence. It's very much on target. The legislation is coming. We're discussing it this very week with the stakeholders I just mentioned in the previous part of my answer to the member's question.

ONTARIO HYDRO PRESIDENT

Mr Leo Jordan (Lanark-Renfrew): My question is for the Minister of Energy. The people of Ontario were completely shocked this morning to learn of the resignation of Mr Holt, or the leaving of Mr Holt, as president of Ontario Hydro.

The people of Ontario, and especially the Association of Major Power Consumers in Ontario, are looking for some direction, some certainty of supply and certainty of cost, but here we've gone through three ministers of Energy, we're looking at the third chairman of the utility, and now the president of this large corporation is leaving.

I have here a letter of six pages to the Premier explaining to the premier that Mr Al Holt was the most qualified of all the applicants inside and outside of Ontario Hydro.

My question to the minister is, did your ministry give any direction? Did you have any input to the board regarding Mr Holt leaving the corporation at this time?

Hon Brian A. Charlton (Minister of Energy): The answer to the question is, very simply, no.

Mr Jordan: I wonder if the minister is aware that Mr Holt is leaving. The first thing this minister has to understand is that he supported Bill 118 and that he has to accept the accountability and the responsibility that goes with that bill, including issuing directives to Ontario Hydro.

Why else would Mr Holt, a 36-year veteran of Hydro, suddenly decide to leave? On September 18, Mr Holt spoke to the 25-year club of Ontario Hydro and explained to them the changes that he had in mind to make it a more businesslike corporation. He said, at that time, that he would be back next year to tell us, hopefully, about a better picture for Ontario Hydro.

Again I ask the minister to tell this House what communication he had with the board of directors and why the board of directors has changed so much since a year ago, when it sent this letter to the Premier.

Hon Mr Charlton: The member refers to directive power and he refers to Bill 118 and the amendments, to the process that started last year and the bill we passed earlier this year in June.

He should know, because he was part of the process of seeing that legislation through this House and through committee, that the directive power that's set out in that legislation is a directive power that requires the government to act through OIC, order in council.

Section 6 of the Power Corporation Act, which Bill 118 amended, very clearly sets out the responsibility of the Ontario Hydro board to deal with the question of the president of Ontario Hydro. The decisions that are being made now are decisions that are decisions vested in the board of Ontario Hydro. This minister and this government have not directed any of those actions.

Interjection.

The Speaker (Hon David Warner): The member for Etobicoke West, come to order. The member for Durham East with a new question.

STUDENT BUSING

Mr Gordon Mills (Durham East): My question is for the Minister of Education. In my riding of Durham East, I have a very fine school, Durham Knox Christian School. Those folks who send their children to that school pay the full shot, sometimes as much as \$10,000 a year. They also pay the full taxes on their tax bills to support the public school system. In addition to that, they pay about \$80,000 a year to transport their children to their school along the very same route that the public school buses go, and those buses are half empty all the time.

My question is, is there any way we can influence the local boards of education whereby they can relieve the financial burden on my constituents in so far as school transport is concerned and let them hop on the bus and get off of the bus while they're en route to the public school?

Hon Tony Silipo (Minister of Education): The solution that's being suggested perhaps sounds simple at first blush, but I think the underlying point we need to remember is that of course the school the member mentioned is a

private school and that any form of assistance with respect to busing of students to private schools would be a form of public funding for private schools. That is something we as a government do not support. Obviously, we believe it's important for us to continue to provide funding for public schools. Parents have the choice in whether they send their children to publicly funded schools or private schools, but once they make the decision to send their children to private schools, then they are responsible for all of the funding that's associated with that decision.

Mr Mills: I appreciate that answer, Mr Minister. What I suppose I'm going to ask is, do you see in the future any possibility that we can look into it or offer any changes to the act? Is there anything on the horizon that these people can put out their hand and hope for?

Hon Mr Silipo: If there is anything on the horizon, I'm certainly not aware of it. I think I would just say no, that there is no intent on our part to change our policy, which has been there for years and which we certainly continue to believe is appropriate.

1600

AGRICULTURAL LAND

Mr Charles Beer (York North): My question is to the Minister of Agriculture and Food. Minister, you will be aware that today there was a large demonstration outside this building by a whole group of citizens, many of whom are farmers in the regions of Durham, York and Peel. You will also be aware that the Ontario Federation of Agriculture has come out in support of those groups fighting against the imposition of an unnecessary megadump in York region. Indeed, the president of the Ontario Federation of Agriculture, Roger George, spoke today in support.

Minister, would you please tell the House, Mr George and the residents of York, Durham and Peel what specifically you're doing to ensure that not one acre of good farm land is turned over to a megadump?

Hon Elmer Buchanan (Minister of Agriculture and Food): Certainly, I'm aware of the concern of the farmers in the three regions the member has mentioned. Over the last summer we have conducted a review of how we might protect farm land. As I've answered the question previously in this House, currently we have the Food Land Guidelines, which in fact are just that: guidelines. They very often end up being challenged on one side or the other at Ontario Municipal Board hearings.

The prospect of having a megadump in one's backyard or at a neighbouring farm is obviously something that concerns farmers in all parts of the regions that have been named. What I have personally been doing is making the case that farm land is a valuable resource in this province. The Interim Waste Authority has a process in place where it is going to identify sites. It's unfortunate, I believe, that it's taking some time to come to the short list. It's causing a lot of aggravation for farmers and other people in those regions, but I am assured by the Minister of the Environment that there will be hearings and that every effort will be made to make sure that those farm lands that are viable and very productive can be protected in the future.

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon David S. Cooke (Government House Leader):

I move that, notwithstanding any standing order or previous order of the House, the following changes be made to the order of precedence for private members' public business: (1) Mr Christopherson be deleted from the order of precedence for private members' public business and all members of the New Democratic Party caucus listed thereafter be advanced by one place in their turn, and (2) Mr Scott be deleted from the order of precedence for private members' public business and all members of the Liberal Party caucus listed thereafter be advanced by one place in their turn.

The Speaker (Hon David Warner): Is it the pleasure of the House that the motion carry? Carried.

PETITIONS

SCHOOL FACILITIES

Mr Frank Miclash (Kenora): I have a petition to the Legislative Assembly of Ontario. It reads:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To oppose the building of a secondary high school in the Kenora school district."

That's signed by approximately 700 people in the Kenora riding.

LANDFILL

Mr W. Donald Cousens (Markham): This is one of a group of thousands that I'll be tabling over the next several days from the people of Georgina, and on their behalf I present this petition from the People of Georgina against Garbage and representing many of the people in York region. For your information, Mr Speaker, I have affixed my name to this petition and agree with it wholeheartedly.

"To the Lieutenant Governor in Council:

"We absolutely reject the notion of the establishment of a garbage dump for Metropolitan Toronto's waste in Georgina and York region.

"We, the residents of Georgina and York region, request that our elected representatives and our provincial Minister of the Environment:

"(1) Repeal Bill 143 in its entirety;

"(2) Consider all alternatives to site selection in York region;

"(3) Directly consult with all of the residents of Georgina and York region with regard to their wishes, possibly by referendum; and

"(4) Immediately cease the process of site selection in York region for a garbage dump."

I present this and trust the government will take it under serious consideration, which it hasn't till now.

The Acting Speaker (Mr Noble Villeneuve): I trust the honourable member has signed the petition.

RETAIL STORE HOURS

Mr Ron Hansen (Lincoln): I have a petition to the members of the provincial Parliament:

"Amendments to the Retail Business Holidays Act promise wide-open Sunday shopping and elimination of Sunday as a legal holiday.

"I, the undersigned, hereby register my opposition in the strongest of terms to Bill 38, which will eliminate Sunday from the definition of a legal holiday in the Retail Business Holidays Act.

"I believe in the need for keeping Sunday as a holiday for family time, quality of life and religious freedom. The elimination of such a day will be detrimental to the fabric of the society in Ontario and will cause increased hardship on many families.

"The amendments included in Bill 38, dated June 3, 1992, to delete all Sundays except Easter"—that's 51 per year—"from the definition of a legal holiday and reclassify them as working days should be defeated."

I have the signature of 200 families on this petition and I affix my signature to this petition.

STANDING ORDERS REFORM

Mr James J. Bradley (St Catharines): This petition is addressed to the Legislative Assembly of Ontario:

"Whereas Premier Rae of the province of Ontario has forced upon the Ontario Legislature a change in the rules governing the procedures to be followed in the House; and

"Whereas Premier Rae has removed from members of the opposition the ability to properly debate and discuss legislation and policy in the Legislature by limiting the length of time a member may speak to only 30 minutes; and

"Whereas Premier Rae, who once defended the democratic rights of the opposition and utilized the former rules to full advantage in his former capacity as leader of the official opposition, has now empowered his ministers to determine unilaterally the amount of time to be allocated to debate bills they initiate; and

"Whereas Premier Rae has reduced the number of days that the Legislative Assembly will be in session, thereby ensuring fewer question periods and less access for the news media to provincial cabinet ministers; and

"Whereas Premier Rae has diminished the role of the neutral, elected Speaker by removing from that person the power to determine the question of whether a debate has been sufficient on any matter before the House; and

"Whereas Premier Rae has concentrated power in the Office of the Premier and severely diminished the role of elected members of the Legislative Assembly, who are accountable to the people who elect them,

"We, the undersigned, call upon Premier Rae to withdraw the rules changes imposed upon the Legislature by his majority government and restore the rules of procedure in effect previous to June 22, 1992."

I affix my name to this particular petition in agreement with it.

LANDFILL

Mr David Tilson (Dufferin-Peel): I have a petition of 556 names from my riding of Dufferin-Peel, mainly from the town of Caledon, and it's addressed to the Legislature of Ontario:

"Whereas the Interim Waste Authority has released a list of 57 potential sites in the greater Toronto area as possible candidates for landfill;

"Whereas the decision to prohibit the regions of the greater Toronto area from searching for landfill sites beyond their boundaries is contrary to the intent of the Environmental Assessment Act, subsection 5(3);

"Whereas Bill 143 closes off a number of viable waste disposal options, refusing, for example, to allow a willing host community such as Kirkland Lake to be considered as a possible solution to the greater Toronto area garbage issue,

"We, the undersigned, petition the Legislature of Ontario as follows:

"That the Legislature of Ontario repeal Bill 143 in its entirety and allow a more democratic process for the consideration of future disposal options for the greater Toronto area waste, particularly the consideration of sites beyond the boundaries of the greater Toronto area where a willing host community exists who is interested in developing new disposal systems for greater Toronto area waste."

I have affixed my signature to this petition.

1610

GAMBLING

Mr Dennis Drainville (Victoria-Haliburton): To the Legislative Assembly of Ontario:

"Whereas the New Democratic Party government has traditionally had a commitment to family life and quality of life for all the citizens of Ontario; and

"Whereas families are made more emotionally and economically vulnerable by the operation of various gaming and gambling ventures; and

"Whereas the New Democratic Party government has had a historical concern for the poor in society, who are particularly at risk each time the practice of gambling is expanded; and

"Whereas the New Democratic Party has in the past vociferously opposed the raising of moneys for the state through gambling; and

"Whereas the citizens of Ontario have not been consulted regarding the introduction of legalized gambling casinos despite the fact that such a decision is a significant change of government policy and was never part of the mandate given to the government by the people of Ontario;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government immediately cease all moves to establish gambling casinos by regulation and that appropriate legislation be introduced into the assembly, along with a process which includes significant opportunities for public consultation and full public hearings"—

Mr Peter Kormos (Welland-Thorold): When did caucus approve casinos? When did the party approve casinos?

Mr Drainville: —"as a means of allowing the citizens of Ontario to express themselves on this new and questionable initiative."

Mr Kormos: What kind of democracy is that?

Mr Drainville: I thank the member for Welland-Thorold and I thank you, Mr Speaker.

Mr Hans Daigeler (Nepean): I have a petition, signed by 55 of my constituents, which is somewhat along the lines of the petition that was just presented. The petition reads as follows:

"We, the following of City View United Church, Nepean, are opposed to the legalization and opening of gambling casinos by the province of Ontario. For economic, social and moral reasons, we cannot support this action. Genuine social benefit is not well served through a submersed, regressive taxation subject to the whims of chance, as gambling is,

"We ask you, therefore, to reject this motion in consideration of the maintenance of cultural, civic and moral values."

I'm pleased to present this petition on behalf of my constituents.

DRIVERS' LICENCES

Mr David Tilson (Dufferin-Peel): I have a petition of 253 names in my riding of Dufferin-Peel. It is addressed to the Legislative Assembly of Ontario:

"Whereas the recent death and injury of five youths within the riding of Dufferin-Peel has deeply disturbed the residents; and

"Whereas these deaths might have been prevented if legislation concerning graduated licensing had been in place; and

"Whereas we would like to prevent further deaths and injuries to our new drivers and young people,

"We would like to petition the Legislative Assembly of Ontario to bring forward legislation to introduce graduated licences within the province of Ontario."

I have affixed my signature to that petition.

LANDFILL

Mr Larry O'Connor (Durham-York): This petition was presented to the constituents in my area at the fall fair in Sutton, and they signed each one individually. I'm not going to read each one individually, but I'll read the one and then I'll affix my name to the box of these and pass them down to the table officers. Should they be ruled not in order, then at that point I'll present them in person to the Minister of the Environment.

The petition reads:

"I, the undersigned, absolutely reject the alternative of a Metropolitan Toronto-York alternative megadump and insist that you reconsider all alternatives."

When I say I beg leaf, I'm a little tongue in cheek, because they're shaped like leaves.

Mr Charles Beer (York North): I want to also present a petition today against the megadump, and it will be one of many that we'll be presenting during this fall session. It reads as follows:

"To the Legislature of Ontario:

"Whereas the Interim Waste Authority has released a list of 57 potential sites in the greater Toronto area as possible candidates for landfill;

"Whereas the decision to prohibit the regions of the greater Toronto area from searching for landfill sites beyond their boundaries is contrary to the intent of the Environmental Assessment Act, subsection 5(3);

"Whereas a willing host community such as Kirkland Lake will not be allowed a proper hearing to consider the Adams mine site as a possible solution to the greater Toronto area garbage issue,

"We, the undersigned, petition the Legislature of Ontario as follows:

"That the Legislature of Ontario repeal Bill 143 in its entirety and allow a more democratic process for the consideration of future disposal options for greater Toronto area waste, particularly the consideration of sites beyond the boundaries of the greater Toronto area where a willing host community exists which is interested in developing new disposal systems for greater Toronto area waste."

I have affixed my signature to this petition in support.

PENSION FUNDS

Mr David Tilson (Dufferin-Peel): I have a petition of 62 names from my riding of Dufferin-Peel. It's addressed to the Legislative Assembly of Ontario.

"Whereas we, the undersigned members of the Ontario municipal employees retirement system, do not want our pension funds invested in the Ontario investment fund; and

"Whereas we cannot jeopardize our retirement income by allowing the government to decide where our hard-earned capital should be invested; and

"Whereas it is very tempting to dip into our piggy bank without using the democratic process; and

"Whereas this is not how you protect the welfare of the worker;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to listen to our concerns, and hands off our petition funds."

I have affixed my signature in support of this petition.

LABOUR LEGISLATION

Mr Kimble Sutherland (Oxford): I have a petition here from some constituents of my riding and a few other ridings who would like to see a moratorium on proposed changes to labour legislation.

RETAIL STORE HOURS

Mr Steven Offer (Mississauga North): I have a petition which reads as follows:

"We, the undersigned, hereby register our opposition, in the strongest of terms, to Bill 38, which will eliminate Sunday from the definition of 'legal holiday' in the Retail Business Holiday Act.

"We believe in the need of keeping Sunday as a holiday for family time, quality of life and religious freedom. The elimination of such a day will be detrimental to the fabric of society in Ontario and cause increased hardship on many families.

"The amendment included in Bill 38, dated June 3, 1992, to delete all Sundays except Easter, 51 per year,

from the definition of 'legal holiday' and reclassify them as working days should be defeated."

I have signed my name to this petition, and it has been signed by a number of individuals with the Salvation Army of the Meadowvale corps.

MUNICIPAL BOUNDARIES

Mrs Irene Mathyssen (Middlesex): I have a petition addressed to the Legislature of Ontario from 84 residents of the Chippewa, Oneida and Muncey reserves, first nations people in the county of Middlesex, who petition the Legislature of Ontario to set aside the arbitrator's report regarding the annexation of Middlesex county by London, because it does not reflect the expressed wishes of the majority who participated in the arbitration hearings, it awards too extensive an annexation to the city of London and will jeopardize the viability of the county and rural way of life. I have signed my name to this petition.

STANDING ORDERS REFORM

Mr Joseph Cordiano (Lawrence): I have a petition with respect to the rules governing the procedures in the House. It reads as follows:

"Whereas Premier Bob Rae of the province of Ontario has forced upon the Ontario Legislature a change in the rules governing the procedures to be followed in the House; and

"Whereas Premier Bob Rae has removed from members of the opposition the ability to properly debate and discuss legislation and policy in the Legislature by limiting the length of time a member may speak to only 30 minutes; and

"Whereas Premier Bob Rae, who once defended the democratic rights of the opposition and utilized the former rules to full advantage in his former capacity as leader of the official opposition, has now empowered his ministers to determine unilaterally the amount of time to be allocated to debate bills that they initiate; and

"Whereas Premier Bob Rae has reduced the number of days that the Legislative Assembly will be in session, thereby ensuring fewer question periods and less access for the news media to provincial cabinet ministers; and

"Whereas Premier Bob Rae has diminished the role of the neutral, elected Speaker by removing from that person the power to determine the question of whether a debate has been sufficient on any matter before the House; and

"Whereas Premier Bob Rae has concentrated his power in the Office of the Premier and severely diminished the role of elected members of the Legislative Assembly who are accountable to the people who elect them;

"We, the undersigned, call upon the Premier to withdraw the rule changes imposed upon the Legislature by his majority government and restore the rules of procedure in effect previous to June 22, 1992."

1620

REPORTS BY COMMITTEES

STANDING COMMITTEE ON PUBLIC ACCOUNTS

Mr Mancini from the standing committee on public accounts presented the committee's report.

STANDING COMMITTEE ON PUBLIC ACCOUNTS

Mr Mancini from the standing committee on public accounts presented a special report and moved the adoption of its recommendation.

The Acting Speaker (Mr Noble Villeneuve): Is it the pleasure of the House that the motion carry? Carried.

Does the honourable member for Essex South have a few remarks on both his reports?

Mr Remo Mancini (Essex South): Just a few short comments on the second one. Members of the Legislature will know that by order of the House dated April 22, 1992, the standing committee on public accounts was asked to find a replacement for the now retired Provincial Auditor. This is the first time that an all-party committee has been given the authority for such a task, and it falls within the general changes to the rules, general changes that were approved by an all-party committee in the mid-1980s that certain officers of the House be appointed by all-party committees. As a matter of fact, our present Clerk was chosen by the former standing committee on procedural affairs and has served the House well since that time.

I think it's important for me to take a moment to discuss the procedure that was used for the replacement of the auditor, as it's a high-profile and very important government position that affects greatly the workings of the Legislature, the workings of the ministries and the type of information that the general public receives.

We decided as a committee that we would advertise for the position across Canada. We decided as a committee that we would interview as many as possible of the qualified individuals who applied for the job. Through this process, we asked for the assistance of the Legislature's human resources branch, and Ellen Schoenberger, the director, assisted us through these important deliberations. We then decided, after full interviews with a great number of people, in my view, on the individual who was selected. I should say it was done by careful debate and by secret ballot.

I want to commend the members of the Legislature for the way they participated in this important work, and I want to wish the best of luck to the new Provincial Auditor. As Chair of the standing committee on public accounts, along with all my colleagues who are the members of the committee, we look forward to working with this individual.

I move the adjournment of the debate.

The Acting Speaker: Is it the pleasure of the House that the motion carry? Carried.

STANDING COMMITTEE
ON SOCIAL DEVELOPMENT

Mr Beer from the standing committee on social development presented the following report and moved its adoption:

Your committee begs to report the following bill, as amended:

Bill 112, An Act to revise the Building Code Act

The Acting Speaker (Mr Noble Villeneuve): Shall the report be received and adopted? Agreed? Agreed.

Shall the bill be ordered for third reading? So ordered.

STANDING COMMITTEE
ON GOVERNMENT AGENCIES

Mr Runciman from the standing committee on government agencies presented a report and moved the adoption of its recommendations.

The Acting Speaker (Mr Noble Villeneuve): Does the honourable member for Leeds-Grenville have a brief statement?

Mr Robert W. Runciman (Leeds-Grenville): Just a few words, Mr Speaker. This report is unusual in respect to the reports the committee's been making for the last year or so, because it deals with our original mandate, that is, a review of agencies, boards and commissions in the province. Regrettably, we're not doing that as much as we have in the past, but this report deals with three agencies: TVO, the Eastern Ontario Development Corp and the community advisory board of the Brockville Psychiatric Hospital.

It also includes responses from ABCs to previous committee recommendations. I want to make reference to the fact that it also includes a dissenting opinion in respect to TVO written by the Chair of the committee.

The Acting Speaker: Does Mr Runciman want to move the adjournment of the debate?

Mr Runciman: So moved.

The Acting Speaker: Is it the pleasure of the House that the motion carry? Carried.

ORDERS OF THE DAY

INSURANCE STATUTE LAW
AMENDMENT ACT, 1992LOI DE 1992 MODIFIANT LES LOIS
CONCERNANT LES ASSURANCES

Mr Charlton moved second reading of the following bill:

Bill 164, An Act to amend the Insurance Act and certain other Acts in respect of Automobile Insurance and other Insurance Matters / Loi modifiant la Loi sur les assurances et certaines autres lois en ce qui concerne l'assurance-automobile et d'autres questions d'assurance

The Acting Speaker (Mr Noble Villeneuve): Would the honourable minister have some opening statements on his bill?

Hon Brian A. Charlton (Minister of Financial Institutions): Yes, Mr Speaker, I do have some opening comments.

It's a pleasure for me to finally have the opportunity to move second reading and to proceed with the debate on Bill 164, because this piece of legislation deals with a significant list of long-outstanding issues that perhaps have been left undealt with for far too long.

The former Liberal administration chose, after having identified a crisis in the middle of the 1980s, to proceed to deal with one item that flowed out of that crisis: That was the profitability of the insurance industry. There was in fact a profitability problem in the 1980s around the private-sector delivery of auto insurance.

Having said that, in addition to the profitability problem, there were also significant problems of affordability, of accessibility, of people's ability to get insurance in the

regular market, even, in many cases, where their driving record in fact happened to be fairly respectable.

There was also, though, a serious problem with fairness and the adequacy of protection for the drivers in this province. We've attempted in this legislation to deal—and I think we've done it effectively—with all of those problems. Moreover, the legislation proceeds to prescribe, I think, major and immediate improvements to those parts of the problem that most directly impact on drivers, victims of accidents in this province.

In addition, this legislation also contains a number of enabling sections that will allow us to move forward with significant and comprehensive reforms in a number of other areas that I'll talk about during the course of my comments today.

1630

This government promised Ontario motorists a fairer, more accessible, more comprehensive auto insurance package in this province. Last September we also announced that unfortunately we would be having to do that in the private delivery system. This package that I've brought forward today, that I'm moving forward with second reading on today, is a package of reform proposals that deals with all of those issues in a private sector delivery system.

There have been a number of very positive events over the course of the last two years, events which again the former administration neglected to do anything about. I think they're important to set the stage for this debate, because they reflect this government's commitment to not just play legislative games but to reform the entire delivery system.

First of all, we've had basically frozen auto insurance rates for the last two years. There have been no increases in rates anywhere in this province. But also we've had about 60% of the insurers in this province deliver premium reductions to their policyholders, to the drivers of this province. Why is that happening? Partly because in the last round, the Liberal administration only chose to deal with the profitability question and delivered excessive profits to the insurance industry in this province with the Ontario motorist protection plan package, Bill 68. Those profits we saw in the form of about \$1 billion reported over six quarters about a year ago.

Secondly, we've concluded a plan with the insurance industry to remove all the drivers who are in fact good drivers, reasonable drivers, who have found themselves unfortunately, inappropriately and sometimes for lengthy periods of time stuck in the Facility Association fund, paying extremely high insurance rates, drivers who never should have been assigned to that fund in the first place, drivers who were put into the Facility Association fund because the government in the last administration had failed to deal with a number of the other issues besides just the profitability question associated with auto insurance in Ontario.

Thirdly, since October 1990, OMPP accident benefits have been subject to an extremely intensive analysis by groups on all sides of this issue: by the government itself, by the legal community, by other members of the Legislature

who are involved in certain groups out there in the community, by victims' rights groups across this province and by, obviously, the insurance industry itself.

That intensive analysis has put us through probably one of the most wide-ranging and intense consultation processes that has ever occurred around a piece of legislation in this province. Each and every one of the sectors involved and the groups that have indicated interest have met with us, many of them numerous times, both around the issues at stake and around the specifics of this legislation and the regulations which are attached to this legislation, at least in draft form at this point.

That process of review has concluded that the OMPP no-fault benefit schedule is significantly deficient, that it leaves out significant numbers of people, individuals, groups and classes of people almost totally from effective coverage and representation.

Out of that review, we've designed an affordable package of reforms that address those deficiencies; I'll speak in more detail about that as I move through my comments. Indeed, improvement of the inadequate accident benefits is one of the major goals of this legislation, but it is only one of the major goals of this legislation.

We feel the reforms are necessary, but some in the insurance industry would tell us that they are not, that we could just leave the existing system in place. I fundamentally disagree with that conclusion. The present system is inadequate: It doesn't serve all of the people who drive in this province and it doesn't serve some of those people very well at all.

In modern society, and especially in rural and northern communities across this province, driving has become a necessity for many. Not only has driving become a necessity, but members will recall that in the late 1970s we also made insurance compulsory in this province. As you're well aware, there was a time when people could choose either to insure themselves or to take the risk of the consequences of not being insured. In the late 1970s, government stepped in and said that that was no longer acceptable, that in order for people to drive on the roads in this province insurance was compulsory, that people had to provide basic protection for themselves and for others whom they might encounter unfortunately in an accident anywhere in this province.

Throughout the 1980s, claims costs in this province soared. Out of that flowed most of the other problems we had to deal with in this legislative package. Out of that soaring of claims costs flowed the profitability problem for the insurance industry. It also created the premium crunch that we saw imposed on the drivers in this province in 1984, 1985 and 1986, with 70% increases over three years.

Mr Charles Harnick (Willowdale): Sort of like your Hydro rates; they're going up and up.

The Acting Speaker: Order, please. The Minister of Financial Institutions has the floor.

Hon Mr Charlton: We also saw, as a reaction to that by the former Conservative administration and subsequently by the Liberal administration, panic. We certainly saw no initiatives on the part of either of those administrations to

stop some of the industry reactions to that where the industry determined to start dumping people holus-bolus into the Facility Association without regard for the fairness of what they were doing. The Facility Association was in fact an industry fund set up to deal with only the worst drivers in this province. It used to represent 2% of the market. It's actually down slightly now, but at its peak about a year ago it represented about 8% of the market. That was an inappropriate response on the part of the industry and it was an inappropriate lack of response on the part of two administrations not to deal with what was happening.

We had an adversarial system where some people were winners but far too many were losers and we saw significant growth in the underlying cost pressures, especially in the rehabilitation area, that nobody, certainly not the governments of this province of the day, was prepared to deal with. Again, that was reflected in the Conservative administration in the early 1980s and in the Liberal administration for the last half of that decade.

1640

The OMPP, Bill 68, was not the right fix to deal with those problems of the 1980s. Bill 68, which created OMPP, was an inadequate package of no-fault reforms that delivered inadequate benefits and ignored whole groups of people. It also started the debate around this question of the right to sue because it severely limited court access for those who had serious injuries.

Insurers enjoyed a huge turnaround in profits as a result of OMPP, but the gaps in the service and the benefits remain. The problems with the current OMPP system, aside from the use of the term "inadequate benefits," are inadequacies that are reflected in the lives of individual, ordinary Ontarians every day of their lives. The income replacement benefits far too often are inadequate to replace the economic loss that's suffered by accident victims. There was no recognition of the special circumstances, like students, care givers, the unemployed, and the seriously inadequate recognition of the needs of small business people in those accident benefits in the OMPP. The benefits were totally unindexed, so for those who were seriously and long-term disabled as a result of an auto accident, eventual degradation and hardship were certainties. The lifetime caps that were imposed in OMPP on both long-term care and rehabilitation and supplementary medical were a second insult hurled at those who were seriously injured and long-term disabled as a result of their accidents.

There are many other problems with the Liberal OMPP package. It was a package that was unjustifiably expensive for the drivers of this province because it didn't deliver the protection; it simply delivered huge profits to the insurance industry.

Interjections.

The Acting Speaker (Mr Dennis Drainville): Order. The honourable minister has the floor.

Hon Mr Charlton: I guess one of the most significant failures of the Liberal OMPP package was the failure to address the problems around supplementary medical care, rehabilitation and long-term care. The Liberal answer was to impose caps of \$500,000 or 10 years, whichever came

first, on those items rather than start the process of dealing with the underlying problems that existed in the rehab sector.

Mr Harnick: Raise it to \$750,000. Raise it to \$1 million. Take off the 10 years. Then you'll solve that problem.

Hon Mr Charlton: We've solved that problem in this legislation already.

We also still have a system because the Liberals chose only to deal with the profitability question, which is discriminatory in terms of classification, in terms of the way drivers get rated for their insurance. Classifications are not based on people's individual driving records; they're based on age, sex and marital status and other age classification criteria that are extremely discriminatory. In addition to that, we have 151 insurance companies in this province, each of which has its own individual and dissimilar classification system, so that the consumers of this province—

Interjections.

The Acting Speaker: First of all, I'd like to say to the House that the honourable Minister of Financial Institutions has the floor. I'd ask the honourable member for Etobicoke West, if he's going to make interjections, which he shouldn't be doing to begin with, to do them from his desk. I'd ask the honourable members to please allow the honourable minister to make his statements to the House. The honourable Minister of Financial Institutions.

Hon Mr Charlton: Thank you, Mr Speaker. In addition, the 151 insurers in this province each have very separate, very individual and very different classification systems. So we do not only have a discriminatory classification system in this province, but there are 151 variations of that discrimination.

We also see, in the Liberal legislation, serious restrictions on the ability of individuals to recover for pain and suffering, and the threshold that was imposed on the right to sue for pain and suffering in the Liberal legislation restricted that to only catastrophic injuries. All psychological injuries, as you recall, were disallowed in that piece of legislation.

Certainly, any of the individuals who have been injured seriously enough to perhaps qualify to pass through the threshold in the Liberal legislation have found themselves in a very troubling and very slow process to resolution simply because the threshold is so vague that nobody's sure how and what the courts will rule pass through it.

The courts are also very costly and often deny compensation. Lengthy legal battles are a process that some people see as a right but others see as a road to compensation. Unfortunately, it's not a process that guarantees compensation, although it gobbles up huge sums of money. Administrative costs of the court system take dollars away from the benefits that should be delivered to accident victims in this province.

One of the other major problems we've found is that the system as it's currently structured, and the system even prior to the introduction of OMPP, is a system that totally fails to address any significant emphasis to the question of road safety. The system doesn't promote the industry to

invest in safety, which is the largest potential restraint on future costs.

The new plan combines the best features, in my view, of structured automatic accident benefits and the court-assessed compensation for pain and suffering. It's a unique model that's designed to serve the best interests of the people in the province of Ontario.

The new plan draws on the best of both systems and will deliver, in spite of some of the protests from across the way, fair and adequate compensation to everyone who drives on the roads in Ontario. We may have slightly different definitions of what "fair and adequate" is, because fair and adequate, in my book, is not delivering huge settlements to some and none to others.

This package also delivers to all drivers in this province an affordable package that is reflected by a benefit system unequalled anywhere else in this country.

Mr Harnick: It's the only jurisdiction in North America that takes away economic rights, so don't say that. You should be ashamed.

The Acting Speaker: Order, order.

Mr Chris Stockwell (Etobicoke West): After your election campaign you say—

The Acting Speaker: The honourable member for Willowdale and the honourable member for Etobicoke West, I've indicated that the honourable minister has the floor. Now, there will be questions and comments and there will be representatives from both parties who will be allowed to speak in the House. There's no need for interjections at this point. So I'd ask the honourable members to please allow the minister to make his statement, and then you can ask questions or make comments.

Mr Stockwell: We're just trying to remind him of the promises he made in the 1990 election.

The Acting Speaker: You're out of order. The honourable member will please take his seat.

1650

Hon Mr Charlton: The measure of this debate, and I think it'll become clearer as we move towards the end of it, isn't going to be whether members across the way can yell at me that I've taken something away or I can yell at them that we've created a benefit that didn't exist under either of the other systems, because we can both find those examples. The measure of this legislation, the measure of its fairness, its worth and its value will be measured at the end of the day by the number of people it serves, not by the rhetoric of this minister or of the opposition members, but by the number of people it serves in Ontario, and that's how I'm prepared to have this legislation measured and either applauded or criticized.

The member likes to talk about taking away economic rights. This legislation delivers an economic right to every driver in Ontario, all of whom didn't have economic rights either under the current legislation imposed by the Liberals or under the old system that preceded, the full right-to-sue system. Even when they did have rights, they didn't always get effectively delivered either, as we well know. The right to sue, and we openly admit that, for economic loss is

being replaced by a comprehensive system of automatic no-fault accident benefits for economic loss.

Those who would claim that we have removed the right to pursue future economic loss are not telling the whole story about this piece of legislation. They like to talk about the university student who's going to end up under this legislation with the average wage indexed for the rest of his life, because they always like to use the top example and forget to talk about the bottom example.

How many of you in this House know a grade 8 dropout who has become very successful in private business, who has made a significant amount of money in his or her life? If that individual, having dropped out in grade 8, were severely, permanently injured in an accident, does the right-to-sue system deliver that individual full future economic loss? Balderdash. That individual gets ignored by the very elitist, paper-oriented tort system.

Mr Harnick: Are you serious? Only elitists go to lawyers? You should come to my office.

Hon Mr Charlton: No, I didn't say only elitists go to lawyers. The elitist system delivers, as you yourselves have claimed, huge settlements to the medical student who gets injured and little or nothing to the dropout.

Mr Harnick: What about the union guy who's going to lose his overtime? What are you going to do for that guy?

The Acting Speaker: Order.

Hon Mr Charlton: This package delivers equally to the people in this province and ensures that nobody gets left out without benefits.

As we went through the amendments to the benefits package, we raised the ceiling that was imposed by the Liberal legislation from \$600 a week unindexed to \$1,000 a week indexed.

Mr Murray J. Elston (Bruce): And we've got to pay for it.

Hon Mr Charlton: And we've got to pay for it and the system will pay for it.

Mr Harnick: Tell us about net gross now, Brian.

The Acting Speaker: Order.

Hon Mr Charlton: And the system will pay for it because the system that the Liberals imposed was so overpriced that it can already pay for it. Mr Speaker, can you imagine a system which imposed on somebody a benefit unindexed for life when that 24-, 25- or 26-year-old was permanently disabled?

This legislation also removes the caps for those same long-term disabled, the caps on long-term care, the caps on rehabilitation and the caps on supplementary medical services.

A serious commitment also has to be pursued by this government, and will be pursued by this government, to start to set the standards for an appropriate fair and useful long-term care and rehabilitation system in this province. It's in our best interests to do that; it's in the insurance industry's best interests to do that; it's in the Minister of Health's best interests to do that, but the previous administrations in this

province ignored those issues and simply passed legislation and said: "Go away. Don't bug us any more."

You have to deal with the question of rehabilitation and long-term care, but you also have to deal with ensuring that the capability of delivering that in this province in an adequate way is out there.

Death benefits: We doubled the base death benefit and also tied death benefits to income, so that instead of the situation where everybody under the Liberal legislation got \$25,000 and that's it, we now have a situation where everybody gets \$50,000 and up to \$200,000 based on their income. But in addition to that, by the changes we've made in the right to sue around pain and suffering, we've substantially enhanced people's ability, when they're left behind by a deceased husband or wife, to seek compensation for pain and suffering that flows from that.

Everybody will benefit from the improvements we've set out in this legislation. All accident victims will receive benefits and they'll receive them virtually immediately. They'll not have to experience the costs and delays of the legal system.

Some of my colleagues across the way like to laud the right to sue as the best resolution mechanism, and I learned differently and I admit I learned differently. I admit my mistakes and proceed to do what I believe is the right thing.

Mr Harnick: Oh, is that what you told the electorate?

The Acting Speaker: Order, order.

Mr Harnick: Why don't you do what you promised when you ran in the election?

Hon Mr Charlton: Because I found it didn't work very well.

Mr Harnick: Oh, it doesn't matter if you keep your promises or not.

The Acting Speaker: The honourable member for Willowdale will come to order. I know the honourable member for Willowdale feels this is a different kind of debate where he can join in any minute he wants to, but that's not what it is. The honourable Minister of Financial Institutions has an opportunity now to put his views on the record. You too will have your opportunity. I'd ask you to come to order and remain in order. I'd ask the honourable minister to continue.

Hon Mr Charlton: Thank you, Mr Speaker, and I will try and refrain from commenting on the interjections from the other side.

Just let me repeat that every driver in this province will benefit from the changes we're making in this legislation. Nobody will be left outside of the system. Seriously injured people will benefit because of the indexation we've provided in this package, the removal of the caps in terms of rehab and attendant care and those other things that put roadblocks in the way of lifetime access to services for those long-term disabled.

1700

This legislation will also deliver full income protection to over 90% of the people in this province.

We've also delivered benefits to injured students through lump sum payments and lifetime indexed weekly incomes if they should become permanently disabled, things that were totally ignored in Bill 68, the OMPP system.

We've also delivered similar benefits, but based on past employment, to homemakers and the unemployed. We've also got another group, small business people, who weren't very well dealt with in the Liberal legislation. We've put in place for them a process by which they'll be allowed to predetermine with their insurer an appropriate income replacement level should they become disabled.

The reforms in this bill, Bill 164, also significantly broaden the access to the courts for those situations with which, in my view, the courts are best suited to deal, and that's pain and suffering compensation for those innocent victims of accidents those on the other side so often like to talk about.

Pain and suffering is an individual, intangible, difficult-to-define set of things a person suffers as a result of an accident. Pain and suffering and assessment of pain and suffering certainly aren't easily suitable to a fixed schedule of accident benefits. You can know how much an individual earned, because he's got a pay stub from his former employer and you can also contact his or her former employer, but it's not quite so easy to assess pain and suffering.

The courts are well established to deal with pain and suffering settlements. They have been for a long time.

Mr Harnick: Now you trust the courts. A minute ago, you said you couldn't trust them.

Hon Mr Charlton: This wasn't a question of trusting courts. It was a question of trusting the way you deliver benefits to some and not to others.

At the same time, ill-advised court action must be discouraged in the interests of an affordable, efficient insurance system. I recall during the course of our consultations talking to people who in fact were able to utilize the courts to eventually get an adequate settlement, after two, three, four years of litigation, who in the interim lost their homes. The no-fault system delivers their income-loss benefits up front.

The ability to litigate for pain and suffering isn't something that's required to support the ongoing family obligations of the injured person in terms of his income loss, in terms of his medical and rehabilitation needs and in terms of the family, the mortgage obligations, the children at home and the other things that require the upfront delivery of benefits.

Yes, we'd opposed a threshold on that right to sue. In fact, it was a threshold that was suggested by the legal community itself as we talked about the appropriateness of verbal thresholds, monetary thresholds and even a deductible, which is what we put in place, a \$15,000 deductible threshold.

Mr Harnick: What cases will be eliminated with a \$15,000 threshold?

The Acting Speaker: Order.

Hon Mr Charlton: The changes we've made in the threshold will allow access to the right to sue for pain and

suffering to basically triple. It will deliver the right to sue for pain and suffering to all of those individuals who have been severely injured in a significant and long-lasting way.

Our reform program will also ensure major improvements for Ontario drivers, not only because of the benefit changes that I've just described but because of a number of other series of planned reforms that deal with questions of market stability in terms of insurance in this province. It does that for a number of reasons.

The first and I guess the primary of those is that it uses the dollars in the system much more efficiently and delivers them to the people who expect and need the delivery of those dollars.

Today I will be making available to my colleagues across the way, and to the interested larger public out there, the findings of our actuaries, William M. Mercer Ltd. This report is the most comprehensive look at the costs for Ontario auto insurance ever done. We commissioned this study as a tool to help us balance fair compensation benefits with affordability. We undertook this study so we could understand the cost pressures and identify those areas where real change is needed.

The report confirms what I've said all along. These reforms will not only be fairer; they will also be affordable. Our reforms are affordable because we have reallocated costs in the system to produce an effective and efficient system; that is, significant benefit enhancements can be introduced because of the innovative combination of accident benefits for economic loss and the ability to sue for pain and suffering.

Some of the members across the way again are correct. The insurance industry will attempt to see the costs of this package as somewhat higher than we will portray them. Having said that, you will note that I started out my comments by saying that this is the most comprehensive look at the costs of auto insurance ever done in the province of Ontario. We have been in significant discussions with the industry, and throughout those discussions their costings have been gradually been coming down. It won't be too far down the road before we reach some good understanding of the future costs in the system.

But in any event, I have said from the outset, publicly out there to the media and the larger general public and here in this House, that although we believe this package is affordable and that we can implement it without cost increase, I am prepared—although I don't want to see increases given in advance like the last government made the mistake of doing, because they weren't necessary, those 8% increases that were attached to Bill 68. The \$1 billion of profit that the industry rolled in was handed to them by the legislative process here in Ontario, and that's unfortunate. I don't want to see those kinds of costs rolled out in advance based on estimates of the cost of this system, but I am prepared to sit down realistically with the insurance industry in this province and, when we've determined what the real costs of this package are, to deal with them. That's how confident I am in our numbers and the approach that our actuaries have taken to costing this initiative.

Our reforms are affordable because we've done the things that I've talked about to try to find the balance between fairness, efficient use of dollars and affordability. We expect that price stability can also be achieved through our commitment to develop guidelines and standards for rehabilitation, an area left unaddressed by the last government and one of the serious underlying cost pressures that have caused significant problems, especially during the 1980s, when that whole rehabilitation sector was developing out there uncontrolled.

1710

As I've said, we also expect to add a price stability in the longer term through a significantly greater emphasis on road safety. I'll make a few more comments on road safety in a few moments.

The system has to be overhauled in its entirety. A piece of accident benefits legislation by itself isn't enough. I've mentioned rehabilitation standards. We have to proceed in consultation with other colleague ministries, the industry itself and victims' groups out there to start the process of developing rehabilitation standards in this province.

We've also got to do a much better job of designing and implementing much more effective consumer advocacy mechanisms in this province. One of the things the Liberal legislation did was take away the right to sue for most people, in effect taking away their normal advocate—in most cases, their lawyer. They put in place the adjudicative mechanisms at the Ontario Insurance Commission, the mediation mechanism and the arbitration mechanism, but they forgot to effectively put in place a cost-effective and affordable advocacy mechanism for those individuals. We're going to have to deal with that question and deal with it in a fairly upfront way.

We're also going to have to work to improve the dispute resolution mechanisms at the OIC and we're going to have to work to put in place new rules to protect claimants in disputes. One of the things we've done in this legislation, for example, is remove the ability of insurers to just automatically cut people off from a benefit without access to that dispute resolution mechanism. People who in the past have had their access to the courts taken away from them have had no protection added on the other side in terms of the insurer's ability to stop their benefits.

Mr Elston: Don't talk to me, Brian.

Hon Mr Charlton: Why shouldn't I talk to you?

Mr Elston: You should be concentrating on convincing somebody else, because your story is really full of a whole bunch of holes.

The Acting Speaker: Order, please.

Mr Elston: Your understanding of this whole issue is really not very good.

Hon Mr Charlton: The member across the way would suggest that my understanding of this is not very good. I would suggest that his understanding, based on the legislation he proceeded with, is what was probably more full of holes than anything else.

As we move through the changes in this legislation, I'd also like to take a few moments to address the classification system and the discriminatory nature of that classification

system as based on age, sex and marital status, a classification system that the Liberals in 1987 said they would proceed to reform. In fact, if I recall correctly, they actually proceeded with the legislative changes or at least the study, then backed out of the whole system.

I understand it's a difficult problem and I understand it's not going to be an easy one to resolve. Having said that, we intend to proceed to resolve it in a staged, understandable and useful way. We intend to move as quickly as we can to a uniform classification system across this province and then to eliminate the discrimination in that system.

We have to promote clear definitions and common rating factors across this province and we have to end up with a system that deals with drivers based on their experience and their record, not on a system which convicts the guilty and the innocent because they happen to be the same age.

We've also got to deal with the question of accessibility. I've talked earlier about the Facility Association. Our commitment is to ensure that over the course of the next year or year and a half, fully 50% of the people, well over 100,000 people, will be moved out of the Facility Association fund and into the regular market at reasonable rates for their auto insurance in this province. We've worked closely with the industry to accomplish that. The new approach was approved in June, and our goal is to ensure that every good driver is removed from the FA. We're also going to put in place a "take all comers" system in this province to ensure that all good drivers have access to insurance in the regular market.

We've also got to proceed to deal with the other questions that are dealt with in this legislation. This legislation gives the Ontario Insurance Commission the powers to regulate market conduct and to ensure that we don't have unnecessary disruptions in the marketplace. This legislation will also give us the power to impose penalties on companies that don't live with the rules in this province, a power that we've never had in this province before.

Road safety: I mentioned earlier that I wanted to comment on this a little bit further. Accidents in this province cost \$4 billion a year. Our reform strategy will link automobile insurance with road safety, because we all have to work not only to deliver good benefits to accident victims but to reduce the number of accident victims we produce in this province.

The Minister of Transportation, my colleague who normally sits in front of me here, tabled a bill to establish the Ontario Road Safety Corp on June 3 of this year. New incentives for safe driving measures will be ongoing and will become a permanent part of this government's initiatives to deal with auto insurance and road safety questions in this province.

New safety education and driver improvement programs will be put in place. Public education and safety campaigns will be stepped up significantly, and eventually we will see, hopefully, the merging of the information that the Ministry of Transportation and the insurance industry now have around the performance of individual drivers in this province, hence giving us the ability to deal in a more individual way with the performance of those drivers rather than the classification of those drivers.

In the process of creating the road safety corporation we will build new partnerships with a number of organizations around this province and ensure that we have not only industry and victim input but a community input into the kinds of programs we set up to start dealing with road safety.

In conclusion, this reform package strikes, I believe, the right balance between fair and reasonable benefits for accident victims and affordability. It will be done within the private sector delivery system.

There are still major gaps in the OMPP system in spite of the industry's protestations that it's a fine system. This legislation will deal with those inequities in the OMPP package. We've consulted with representatives of the industry, lawyers, consumers and advocates for accident victims, and that consultation process has delivered to us invaluable input. In fact, that input has helped us to design this very unique package of reforms.

Just in winding up, I'd like to say to my colleagues in the House that—and I started to say this earlier in response to one of the interjections from across the way, but it's more appropriate to say it in a more full way as the windup to my comments here today. The measure of the old system, the current system and the new system is a measure that never gets resolved by this guy and that woman who got served a little bit better or a little bit worse in any one of the systems. The real measure is, at the end of the day, in a societal way, which system has best served all of the people of this province? Which system has left the fewest number of victims in a heap outside the system? Which system has delivered the most benefits to the most people in the most compassionate and fair way?

That's the measure by which I want to see this legislation measured by the people of this province, not by the rhetoric of the specific-interest advocate groups in this province.

1720

The Acting Speaker: Questions and/or comments?

Mr Harnick: It's very interesting that we hear this long apology from the Minister of Financial Institutions when he deals with auto insurance. These were the people who made promises during an election to (a) give us public auto insurance—we know where that promise went—and (b), after 17 hours of Peter Kormos standing in this chamber pleading for the rights of innocent accident victims and for the right to have access to courts to claim for their actual damages, and the fact that this whole party supported him, including the Premier—it shocks me, after an election campaign where Mr Charlton himself was out campaigning to restore the rights for innocent accident victims, that he comes here today in this long-winded apology and says: "We don't have to keep the promises we made. We discovered another method after the election."

If you wonder why the public is cynical about this government and maybe about all politicians, there is the perfect example: "It's not incumbent upon us to keep our promises. We're entitled to change our minds later on." Well, I'll tell you something. You made promises and on the strength of those promises you got votes. Now,

unfortunately, people have to wait for two more years to throw you out. You haven't told the public the truth and you should be ashamed. Because of that, every bit of this auto insurance package is suspect, every bit of it, because it's not what you promised when you got elected. People voted for you because you made certain promises, and this was one of the major planks in your Agenda for People, this and public auto insurance. The fact is, you never intended to keep your promise. You misled the public, and you should be ashamed. For that reason, no one will ever trust you in terms of what this package has in it.

The Acting Speaker: Thank you, honourable member. Questions and/or comments? If there are none, then the honourable minister has two minutes to respond.

Hon Mr Charlton: I think I've taken plenty of time, Mr Speaker.

The Acting Speaker: Resuming the debate, the honourable member for Essex South.

Mr Remo Mancini (Essex South): I'm pleased to have the opportunity to join my colleagues in the Legislature to debate Bill 164. Before I get to the actual sections and subsections of Bill 164, I think it would be appropriate to set out for the Legislature, because many of the members are new and were not here prior to September 1990, and I also want to remind the public who may be tuned in and watching about what the situation was in the mid- and late 1980s that led the former Liberal government of the day to introduce and pass the Ontario motorist protection plan that has been in place for approximately two years and is still serving the public at this very moment.

During the late 1980s, the issue of automobile insurance was front and centre as a political issue. Increases in premiums had aroused the public. Moving Ontario motorists from regular insurance coverage into the Facility Association at very high rates had made many people angry. The unavailability of insurance for some Ontarians came as a shock. This led, as I said earlier, to the main political issue of the day: automobile insurance rates, availability and generally how the industry would be managed by the government and the industry itself.

During this time, it was made clear to us and to the 10 million residents of Ontario that the decades-old position of the socialist NDP was and had been up to that time very clear. They said time and again that if given the responsibility to govern, the socialist NDP would nationalize automobile insurance and we would have government-owned car insurance. By the statements made not just by the Premier or by Peter Kormos or by single members of the caucus, but by the caucus and the NDP as a whole, we were led to believe that the nationalization of the industry would lead to affordable insurance, stability in the marketplace and, for most people, would mean a reduction in premiums. They said this had been done before in Manitoba, in Saskatchewan and in British Columbia. A little bit later on in my discussion we will discuss what's happened in some of those provinces that have embarked on this course.

During this period of turmoil in the late 1980s, the former Liberal government promised to bring greater fairness and stability to the marketplace and the best possible

protection for consumers at the best possible price. It amazes me to this day that the New Democratic Party still fails to understand how the insurance industry works. It's really quite simple. It's misunderstood by many people, mainly because of the actions of the New Democratic Party, what it has had to say over the many past years and how it has distorted the facts.

The principle of insurance is simple indeed: A group of people get together and buy protection from a certain company. For this protection, they pay premiums, hoping, I'm sure, that they never have to collect on the protection they've bought. These premiums, I say to my socialist colleagues across the floor, create a pool of capital. From this pool of capital, people are employed. That's one thing that the government across the floor fails to mention and fails to talk about on every issue, that pools of capital create employment. From this pool of capital, business is allowed to operate; business is allowed to pay taxes. Profits, which has been and continues to be a dirty word to the NDP government, are reinvested, most of them right here in our own province. This reinvestment of profit and capital strengthens the engine of growth.

I fail to understand why, even at this late stage under the leadership of the NDP, they have steadfastly refused in any way whatsoever to understand and to explain the merits of profit and what it has done and what it can do. Profit allows employers to stay in business, and employers need employees to do the work. It's very simple, not complicated.

I sometimes wonder where, how and who taught this government across the floor basic arithmetic, because when you sit here and listen to its speeches and listen to the many things that it has said over the years and have watched the things that it has done over the past two years, you have to wonder where it learned its basic arithmetic. If this current recession-depression has not reminded and taught us all the importance of profit, especially the government across the way, then I don't believe anything will.

1730

Finally, from this pool of capital that I spoke about earlier, the consumers who bought the protection receive benefits when needed. That is what the pool of capital is used for. That's why the pool of capital is created.

Before 1989 and before no-fault insurance and before the Ontario motorist protection plan, one of the constant complaints that was made by the general public and by many organizations, some affiliated with the insurance industry, some not affiliated with the insurance industry, was the cost of litigation, the cost not only in direct payment to lawyers but the cost of clogging up our courts, the cost of the uncertainty as to what awards would be given, how high the awards would be, whether or not the industry had properly planned for such high awards, and whether or not they could plan for the future. In short, huge sums of capital were being taken from this pool for the purpose of litigation.

Before we can fully discuss Bill 164, as I said earlier, we have to better understand the main points of the Ontario motorist protection plan, the plan that we are now living under, that has served us, and I believe well, for the past two years. We have to understand that since June 22,

1990, most of us, if we were honest in this Legislature, and I believe for the most part we are, if we were asked to rise on an individual basis and enunciate the number of phone calls or letters that each of us has received in our constituency office or our home, or the number of times that each of us has been stopped by constituents with regard to insurance problems, premiums, availability, payouts and all of those things, I would have to say that most of us would have very little to say.

The Ontario motorist protection plan, which was passed on June 22, 1990, was not something that was dreamed up overnight and rammed through the Legislature, as the government is doing with Bill 64. We did not change the rules of the Legislature, I say to my honourable colleagues across the floor, to limit the debate of the members. As a matter of fact, the members across the floor will recall that many months of lengthy debate took place in which they vigorously participated and they now just as vigorously prevent us from participating, limiting myself, as the critic for the official opposition, to one hour and 30 minutes and limiting the rest of my colleagues to 30 minutes each. That's if the minister allows the rest of my colleagues to speak, because under the new rules the minister can say, "We've had enough debate," after only one or two of my colleagues have spoken. They rigorously participated and were allowed to do so and take part in the democratic process when the Ontario motorist protection plan was being passed, and they do just the opposite now.

Some people have speculated that the rule changes were not just aimed at the members of the official opposition and the third party, but that the rule changes were aimed at their own members who might not agree with the government. To think that over 100 years of tradition, that over 100 years of being able to speak as an opposition party or the third party, to think that all that was changed, practically overnight, by a party that once vigorously participated in the debates on all important bills that were brought to the Legislature.

The Ontario motorist protection plan, which has served us well up till this point, contains a number of important provisions. Number one, it allows individuals to sue for loss of income, something the party opposite never liked to talk about and pretended did not exist. It did not allow for suits involving pain and suffering or psychological damages. Instead, a series of benefits was established.

Weekly benefits were established. Under our plan, weekly benefits were 80% of gross wages or \$600 a week for life. We allowed \$500,000 for rehabilitation and long-term care, and something just as important and something the party opposite never liked to talk about is that we created a threshold level for accident victims who sustained serious and permanent physical injury. If they were able to prove that they had sustained serious and/or permanent physical injury, then they broke through the threshold and they again had access to the courts, and, I say, if they used up \$500,000 worth of medical care, that in itself would have pushed them through the threshold.

Our legislation has withstood the test of time. Our legislation that had been passed by the Liberal government has been accepted and has worked well.

While we were putting in place the legislation I've just described, what were the members of the socialist New Democratic Party doing? They were doing I guess what they thought their job was. They were putting forward their ideas on insurance policy and they were participating in the debates in the Legislature.

1740

I have chosen just three, four or five newspaper clippings to remind everyone what the documentation of the time happened to be. The Kitchener-Waterloo Record, on April 14, 1990, in a headline stated: "No Fault Insurance Foe Breaks Legislature's Filibuster Records."

The North Bay Nugget said on May 24, 1990: "Insurance Scheme Unfair To Victims, NDP Critic Says." The NDP critic was Peter Kormos. The article goes on say: "Mr Kormos says that an innocent auto accident victim will have to be 'dead or damn close to it' to receive any substantial benefits under Ontario's new no-fault insurance scheme. This is the verdict of MPP Peter Kormos, Welland-Thorold, who led a 17-hour filibuster against Bill 68 earlier this month at Queen's Park."

This afternoon we hear from the minister that all of these things that the NDP had said and done in opposition were just plain wrong; it had made a mistake. But when they travelled the province during the 1990 calendar year, up and down the concession roads from small villages to big towns and big cities, make no mistake about it, they knew what they were doing: They were selling socialized auto insurance. They were painting a picture that was not true then and is certainly not true today. Now we are being asked to believe, at this late stage, that all of those things that they said were just one big, happy mistake. They didn't realize and they didn't tell the public that it was going to cost megadollars to create an industry. They didn't realize and they didn't tell the general public that thousands of full-time and thousands of part-time jobs would be flushed down the tubes because of their plan. No, it was just one big, happy mistake; how can they be blamed?

One would have thought that they had not studied the matter, but no, that can't be true because they told us they did study the matter at great length. One would have thought that they didn't have anyone else's prior experience to count on, but no, that's not true either because they had the experience of Manitoba, Saskatchewan and British Columbia to rely on. One would have thought that the NDP socialist party and now government was bankrupt of any intellectual capacity, but no, that can't be right either because they boast many highly educated and well-trained people as members who make up their party.

So how is it possible that the minister could come here today and say that all of those things that they said, all of those promises that they made of insurance for everybody with lower premiums was one big, happy mistake? I say to my colleagues, how are we now expected to believe that it was all one big, happy mistake?

During those days leading up to the passage of that legislation, obstruction, filibustering and cheap promises by the NDP were the order of the day. As a matter of fact, when you look at the results of the 1990 election, it was

not only the order of the day; it carried the day. So that's the way things were then. What did the socialist NDP do after they won the election, after they made these promises, which they now deem to be just one big, happy mistake? What was the situation after they won? Let's turn to the daily newspapers to see how they documented the situation of the day after September 1990.

War broke out within the NDP caucus, or the perception of a war. On September 6, 1991, the *Toronto Star* told its reading public, and I quote its headline:

"Kormos Walks Out Over Car Insurance.

"Furious Peter Kormos is boycotting the Ontario New Democrats' retreat here,"—up in Honey Harbour—"accusing them of giving auto insurance companies a direct pipeline into the Premier's office. Peter Kormos lashed out as Premier Bob Rae confirmed his government is reconsidering his campaign promise of setting up government-run auto insurance. Rescuing the economy, the recession and creating jobs was now the order of the day."

"Kormos Bitter About Auto Insurance Reversal"—*St Catharines Standard*, September 1991.

"Peter Kormos feels like he's in mourning when he should be celebrating yesterday's one-year anniversary of the surprise NDP victory in Ontario. Yesterday's decision by Premier Rae to ditch the idea of public auto insurance, a cornerstone of the NDP platform for years, had Mr Kormos struggling to come up with words to describe how he felt.

"I'm disappointed. It's almost a sense of mourning," he said. 'I can't think of a policy that was more central to the NDP platform in this province.'"

The *Kitchener-Waterloo Record*: "Rae Drops Public Auto Plan.

"Ontario Premier Bob Rae shelved plans for a full takeover of the public auto insurance industry Friday, reversing his election pledge of a year ago because of the province's deep recession.

"'We have decided we will not be proceeding with public auto insurance, and we will not be proceeding for two simple reasons,' he told his caucus at Honey Harbour. 'It will cost too much money and cost too many jobs.'"

Where was that Rhodes-educated scholar before September 1990? Where were all the ladies and gentlemen sitting across the floor from me before September 1990? We are being asked to believe today that not a single one of them—not one of their advisers, not one of their paid staff, not a single member of the entire New Democratic Party of Ontario—knew that nationalizing the automobile insurance business would cost money and jobs. This is astounding; that's what it is. It's beyond unbelievable.

Hon Elmer Buchanan (Minister of Agriculture and Food): Read us some more of those.

Mr Mancini: Yes, I'm going to read many of them, because you need to be reminded. Your honesty is in question, your capacity to govern is in question and your capacity to figure out things before you promise them is in question. I say to the minister of agriculture that there are many things he should be concerned about at this time, many things he should be turning his attention to, like the

broken promises he made to the farmers in Essex county, but we can't talk about that right now.

1750

The *Toronto Star* said on Saturday, September 7—and this says it all as far as I'm concerned—"NDP Adds to Litany of Broken Promises." I didn't write that. I didn't make up that headline. You did it yourselves. You, ladies and gentlemen sitting across the floor on the government benches, wrote the headline yourselves, "NDP Adds to Litany of Broken Promises.

You know, there's one thing you didn't want to admit before September 1990, and you're having a torturous time admitting it now. I know you don't want to believe it, but you know it's true. If you want to buy a form of protection, hoping of course that you never have to use it, you have to pay premiums, and if you want to increase the protection and receive more from the pool of money that's been established, you have to put more in. It's not very complicated arithmetic.

Even the Minister of Tourism and Recreation knows that if we have fewer tourists coming to Ontario, as is the case now—and he's not doing anything about it—we will have fewer tourist dollars spreading throughout our economy and there will be repercussions because of that, as has already happened. It's the same arithmetic whether it's tourism, insurance or agriculture, I say to the minister of agriculture.

So we're at this stage and the party is in turmoil. Peter Kormos is huffing and puffing and not going to meetings and threatening not to come to the chamber and making all kinds of threats. But I will say this on behalf of Peter Kormos, that with all this huffing and puffing, with all these insinuated threats, over these past two years I've not known him to vote against the government once, on anything. As a matter of fact, I don't even think he voted against the government on the rule changes which took our rights away, which now prevent us from speaking on behalf of the people of this province, when he enjoyed all those rights for 17 hours in one stretch and when all of you enjoyed those rights for months at a time.

Anyway, we now have Peter Kormos huffing and puffing and there's all this turmoil within the party as far as the caucus goes. But now outside of the caucus we have huffing and puffing. The *St Catharines Standard*, September 10, 1991, said it all—"Swart Says Rae Wrong," referring to Mel Swart, the former member for Welland-Thorold, who served in this chamber, along with myself and many others, until his retirement in 1987, I believe. He served from 1975 to 1987 and championed, day in and day out, government-owned automobile insurance and was acclaimed by the party and by people outside of the party as an expert on automobile insurance.

We're now being asked to believe that Mel Swart, the former member for Welland-Thorold, who spent the better part of 15 years in this Legislature becoming an expert on automobile insurance, did not know that it would cost anywhere from \$1.5 billion to \$2 billion to nationalize the industry and start up a crown corporation. We're being asked to believe that he did not know that 6,000 full-time jobs would have been lost and 8,000 part-time jobs would

have been lost. I say Mel Swart knew that. I say Mel Swart knew that would happen, and he was ready to put that cost behind his socialist agenda.

Mr Kimble Sutherland (Oxford): —the legislation?

Mr Mancini: Yes, I am, and all these things I'm saying are part and parcel of where we are today. You should be listening carefully because you were part of the group that walked up and down concession roads and told people from your heart of hearts that you would nationalize the industry and bring stability and cheaper rates. You stole a lot of votes by saying that and you defeated a lot of good people from this chamber by doing that and you won the hearts of many thousands of Ontarians by saying that. Now your minister comes before the chamber and says to us, and we're supposed to sit here and accept it, "Oh, it's just one big, happy mistake."

"Mel Swart, one of the architects of the NDP's public-owned auto insurance scheme, says the recent decision to drop the plan is heartbreaking. Mel Swart, former MPP for Welland-Thorold, said yesterday Bob Rae's government is making a very serious mistake by abandoning its goal for public auto insurance. He has received a tremendous number of calls from supporters, whose feelings range from regret to very bitter disappointment."

The federal NDP members who were elected to Parliament got into the act. Johnny Rodriguez, the federal NDP member for the area of Nickel Belt, near Sudbury, was critical of the Ontario NDP flip-flop on insurance. He said, "The NDP are backing away from what has been a major part of the NDP platform since I joined the party in 1963, and the credibility of the government is at stake."

So Johnny Rodriguez, a federal member of Parliament with the New Democratic Party, knew all about this. He must have known it was going to cost from \$1.5 billion to \$2 billion to do this. He must have known that 6,000 full-time jobs and 8,000 part-time job would be lost. Yet he

was willing to stick by his guns. He was willing to say that he knew what the consequences were. But these people across the floor come here today—it's almost laughable—and ask us to believe that they didn't know. Mel Swart knew and Johnny Rodriguez knew.

The Toronto Star, September 25, 1991: "NDP Accused of Flim-Flam on Auto Suits: Ontario New Democrats are using deception and flim-flam to renege on their promise to restore the full rights of accident victims to sue, victims' rights group says."

Mr Speaker, that gives you a clear picture of what happened after the NDP broke its long-held commitment to nationalizing the automobile industry, and that, I say to my colleagues in the House, is what has led us to where we are today. That's why we have Bill 164 in front of us today. They had to do something. Internally, the caucus was divided and at each other's throats. The party was making public statements. Senior members of the party, former members of the Legislature, elected MPs of the federal New Democratic caucus, all of them were making public statements about what a tragedy this was, what a terrible thing had occurred, so in order to try and regain some shred of respectability within its own party, the caucus got together, forced the Minister of Financial Institutions to come up with something else, and that something else is Bill 164.

Mr Speaker, I note that it is now 6 of the clock and that I have 54 minutes left for debate time. I'm very sorry I have to interrupt the comments I want to make, because many of the viewing public now will not be able to follow the comments made on the next day. I regret that deeply, but with your permission I'll adjourn the debate.

The Deputy Speaker (Mr Gilles E. Morin): It being 6 of the clock, this House stands adjourned until 1:30 of the clock tomorrow.

The House adjourned at 1801.

**LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor/Lieutenant-gouverneur: Lt Col The Hon/L'hon Henry N. R. Jackman CM, KStJ, BA, LLB, LLD

Speaker/Président: Hon/L'hon David Warner

Clerk/Greffier: Claude L. DesRosiers

Clerk Assistant and Clerk of Committees/Greffier adjoint et Greffier des comités: Smirle Forsyth

Clerk Assistant and Clerk of Journals/Greffier adjoint et Greffier des journaux: Alex D. McFedries

Sergeant at Arms/Sergent d'armes: Thomas Stelling

| Constituency | Name of member | Party | Other responsibilities |
|-----------------------|----------------------------------|-------|--|
| Algoma | Wildman, Hon/L'hon Bud | ND | Minister of Natural Resources, minister responsible for native affairs/ministre des Richesses naturelles, ministre délégué aux Affaires autochtones |
| Algoma-Manitoulin | Brown, Michael A. | L | Chair, standing committee on general government/ Président du Comité permanent des affaires gouvernementales |
| Beaches-Woodbine | Lankin, Hon/L'hon Frances | ND | Minister of Health, minister responsible for the substance abuse strategy/ministre de la Santé, ministre responsable de la Stratégie de prévention de la toxicomanie |
| Brampton North/-Nord | McClelland, Carman | L | Vice-Chair, standing committee on general government/ Vice-Président du Comité permanent des affaires gouvernementales |
| Brampton South/-Sud | Callahan, Robert V. | L | |
| Brant-Haldimand | Eddy, Ron | L | |
| Brantford | Ward, Brad | ND | parliamentary assistant to Minister of Industry, Trade and Technology/adjoint parlementaire du ministre de l'Industrie, du Commerce et de la Technologie |
| Bruce | Elston, Murray J. | L | opposition House leader/ chef parlementaire de l'opposition |
| Burlington South/-Sud | Jackson, Cameron | PC | Chair, standing committee on estimates/ Président du Comité permanent des budgets des dépenses |
| Cambridge | Farnan, Mike | ND | Vice-Chair, standing committee on the Legislative Assembly/ Vice-Président du Comité permanent de l'Assemblée législative |
| Carleton | Sterling, Norman W. | PC | |
| Carleton East/-Est | Morin, Gilles E. | L | Deputy Speaker and Chair of the Committee of the Whole House/ Vice-Président et Président du Comité plénier de l'Assemblée législative |
| Chatham-Kent | Hope, Randy R. | ND | parliamentary assistant to Minister of Community and Social Services/adjoint parlementaire du ministre des Services sociaux et communautaires |
| Cochrane North/-Nord | Wood, Len | ND | parliamentary assistant to Minister of Natural Resources/ adjoint parlementaire du ministre des Richesses naturelles |
| Cochrane South/-Sud | Bisson, Gilles | ND | parliamentary assistant to Minister of Northern Development and Mines, parliamentary assistant to minister responsible for francophone affairs/adjoint parlementaire de la ministre du Développement du Nord et des Mines, adjoint parlementaire du ministre délégué aux Affaires francophones |
| Cornwall | Cleary, John C. | L | |
| Don Mills | Ward, Margery | ND | parliamentary assistant to Minister of Government Services/ adjointe parlementaire du ministre des Services gouvernementaux |
| Dovercourt | Silipo, Hon/L'hon Tony | ND | Minister of Education/ministre de l'Éducation |
| Downsview | Perruzza, Anthony | ND | parliamentary assistant to minister responsible for the greater Toronto area/adjoint parlementaire de la ministre responsable du Bureau de la région du grand Toronto |
| Dufferin-Peel | Tilson, David | PC | |
| Durham Centre/-Centre | White, Drummond | ND | Chair, standing committee on regulations and private bills/ Président du Comité permanent des règlements et des projets de loi privés |
| Durham East/-Est | Mills, Gord | ND | parliamentary assistant to Minister of Municipal Affairs/ adjoint parlementaire du ministre des Affaires municipales |
| Durham West/-Ouest | Wiseman, Jim | ND | parliamentary assistant to Minister of Revenue/ adjoint parlementaire de la ministre du Revenu |
| Durham-York | O'Connor, Lawrence | ND | parliamentary assistant to Minister of Health and minister responsible for the substance abuse strategy/ adjoint parlementaire de la ministre de la Santé et de la ministre responsable de la Stratégie de prévention de la toxicomanie |
| Eglinton | Poole, Dianne | L | |
| Elgin | North, Hon/L'hon Peter | ND | Minister of Tourism and Recreation/ ministre du Tourisme et des Loisirs |
| Essex-Kent | Hayes, Pat | ND | parliamentary assistant to Minister of Agriculture and Food/ adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation |

| Constituency | Name of member | Party | Other responsibilities |
|---|--|-------|--|
| Essex South/-Sud | Mancini, Remo | L | Chair, standing committee on public accounts/ Président du Comité permanent des comptes publics |
| Etobicoke-Lakeshore | Grier, Hon/L'hon Ruth A. | ND | Minister of the Environment, minister responsible for the greater Toronto area/ministre de l'Environnement, ministre responsable du Bureau de la région du grand Toronto |
| Etobicoke-Humber | Henderson, D. James | L | |
| Etobicoke-Rexdale | Philip, Hon/L'hon Ed | ND | Minister of Industry, Trade and Technology/ ministre de l'Industrie, du Commerce et de la Technologie |
| Etobicoke West/-Ouest | Stockwell, Chris | PC | |
| Fort William | McLeod, Lyn | L | Leader of the Opposition/chef de l'opposition |
| Fort York | Marchese, Rosario | ND | parliamentary assistant to the Premier, parliamentary assistant to Minister of Intergovernmental Affairs/adjoint parlementaire du premier ministre, adjoint parlementaire du ministre des Affaires intergouvernementales |
| Frontenac-Addington | Wilson, Hon/L'hon Fred | ND | Minister of Government Services/ ministre des Services gouvernementaux |
| Grey | Murdoch, Bill | PC | |
| Guelph | Fletcher, Derek | ND | parliamentary assistant to Minister of Consumer and Commercial Relations/adjoint parlementaire de la ministre de la Consommation et du Commerce |
| Halton Centre/-Centre | Sullivan, Barbara | L | |
| Halton North/-Nord | Duignan, Noel | ND | Chair, standing committee on the Legislative Assembly/ Président du Comité permanent de l'Assemblée législative |
| Hamilton Centre/-Centre | Christopherson, Hon/L'hon David | ND | Minister of Correctional Services/ministre des Services correctionnels |
| Hamilton East/-Est | Mackenzie, Hon/L'hon Bob | ND | Minister of Labour/ministre du Travail |
| Hamilton Mountain | Charlton, Hon/L'hon Brian | ND | Minister of Financial Institutions, Minister of Energy/ ministre des Institutions financières, ministre de l'Énergie |
| Hamilton West/-Ouest | Allen, Hon/L'hon Richard | ND | Minister of Colleges and Universities, Minister of Skills Development/ministre des Collèges et Universités, ministre de la Formation professionnelle |
| Hastings-Peterborough | Buchanan, Hon/L'hon Elmer | ND | Minister of Agriculture and Food/ ministre de l'Agriculture et de l'Alimentation |
| High Park-Swansea | Ziemba, Hon/L'hon Elaine | ND | Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations/ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales |
| Huron | Klopp, Paul | ND | parliamentary assistant to Minister of Agriculture and Food/ adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation |
| Kenora | Miclash, Frank | L | opposition deputy whip/whip adjoint de l'opposition |
| Kingston and The Islands/ Kingston et Les Îles | Wilson, Gary | ND | parliamentary assistant to Minister for Skills Development/ adjoint parlementaire du ministre de la Formation professionnelle |
| Kitchener | Ferguson, Will | ND | parliamentary assistant to Minister of Transportation/ adjoint parlementaire du ministre des Transports |
| Kitchener-Wilmot | Cooper, Mike | ND | parliamentary assistant to the Solicitor General; deputy government whip; Chair, standing committee on administration of justice/ adjoint parlementaire du Solliciteur général, whip adjoint du gouvernement, Président du Comité permanent de l'administration de la justice |
| Lake Nipigon/Lac-Nipigon | Pouliot, Hon/L'hon Gilles | ND | Minister of Transportation, minister responsible for francophone affairs/ministre des Transports, ministre délégué aux Affaires francophones |
| Lambton | MacKinnon, Ellen | ND | Vice-Chair, standing committee on regulations and private bills/ Vice-Présidente du Comité permanent des règlements et des projets de loi privés |
| Lanark-Renfrew | Jordan, W. Leo | PC | |
| Lawrence | Cordiano, Joseph | L | Vice-Chair, standing committee on public accounts/ Vice-Président du Comité permanent des comptes publics |
| Leeds-Grenville | Runciman, Robert W. | PC | Chair, standing committee on government agencies/ Président du Comité permanent des organismes gouvernementaux |
| Lincoln | Hansen, Ron | ND | Chair, standing committee on finance and economic affairs/ Président du Comité permanent des finances et des affaires économiques |
| London Centre/-Centre | Boyd, Hon/L'hon Marion | ND | Minister of Community and Social Services, minister responsible for women's issues/ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine |
| London North/-Nord | Cunningham, Dianne | PC | Progressive Conservative chief whip/ whip en chef du Parti progressiste-conservateur |

| Constituency | Name of member | Party | Other responsibilities |
|---|---------------------------------------|-------|--|
| London South/-Sud | Winninger, David | ND | parliamentary assistant to the Attorney General, parliamentary assistant to minister responsible for native affairs/ adjoint parlementaire du Procureur général, adjoint parlementaire du ministre délégué aux Affaires autochtones |
| Markham | Cousens, W. Donald | PC | Progressive Conservative deputy House leader/ chef parlementaire adjoint du Parti progressiste-conservateur |
| Middlesex | Mathysen, Irene | ND | parliamentary assistant to Minister of the Environment/ adjointe parlementaire de la ministre de l'Environnement |
| Mississauga East/-Est | Sola, John | L | |
| Mississauga North/-Nord | Offer, Steven | L | |
| Mississauga South/-Sud | Marland, Margaret | PC | Vice-Chair, standing committee on estimates/ Vice-Présidente du Comité permanent des budgets des dépenses |
| Mississauga West/-Ouest | Mahoney, Steven W. | L | opposition chief whip/whip en chef de l'opposition |
| Muskoka-Georgian Bay | Waters, Daniel | ND | parliamentary assistant to Minister of Tourism and Recreation/ adjoint parlementaire du ministre du Tourisme et des Loisirs |
| Nepean | Daigeler, Hans | L | Vice-Chair, standing committee on social development/ Vice-Président du Comité permanent des affaires sociales |
| Niagara Falls | Harrington, Margaret H. | ND | parliamentary assistant to Minister of Housing/ adjointe parlementaire de la ministre du Logement |
| Niagara South/-Sud | Coppen, Hon/L'hon Shirley | ND | Minister without Portfolio, chief government whip/ ministre sans portefeuille, whip en chef du gouvernement |
| Nickel Belt | Laughren, Hon/L'hon Floyd | ND | Deputy Premier, Treasurer of Ontario and Minister of Economics/ vice-premier ministre, Trésorier de l'Ontario et ministre de l'Économie |
| Nipissing | Harris, Michael | PC | leader of the Progressive Conservative Party/ chef du Parti progressiste-conservateur |
| Norfolk | Jamison, Norm | ND | parliamentary assistant to Minister of Industry, Trade and Technology/du ministre de l'Industrie, du Commerce et de la Technologie |
| Northumberland | Fawcett, Joan M. | L | |
| Oakville South/-Sud | Carr, Gary | PC | |
| Oakwood | Rizzo, Tony | ND | |
| Oriole | Caplan, Elinor | L | |
| Oshawa | Pilkey, Hon/L'hon Allan | ND | Solicitor General/Solliciteur général |
| Ottawa Centre/-Centre | Gigantes, Hon/L'hon Evelyn | ND | Minister of Housing/ministre du Logement |
| Ottawa East/-Est | Grandmaître, Bernard C. | L | |
| Ottawa-Rideau | O'Neill, Yvonne | L | |
| Ottawa South/-Sud | McGuinty, Dalton J.P. | L | |
| Ottawa West/-Ouest | Chiarelli, Robert | L | |
| Oxford | Sutherland, Kimble | ND | parliamentary assistant to Minister of Colleges and Universities; Vice-Chair, standing committee on finance and economic affairs/ Vice-Président du Comité permanent des finances et des affaires économiques, adjoint parlementaire du ministre des Collèges et Universités |
| Parkdale | Ruprecht, Tony | L | |
| Parry Sound | Eves, Ernie | PC | Progressive Conservative House leader/ chef parlementaire du Parti progressiste-conservateur |
| Perth | Haslam, Hon/L'hon Karen | ND | Minister of Culture and Communications/ ministre de la Culture et des Communications |
| Peterborough | Carter, Jenny | ND | parliamentary assistant to Minister of Citizenship/ adjointe parlementaire de la ministre des Affaires civiques |
| Port Arthur | Wark-Martyn, Hon/L'hon Shelley | ND | Minister of Revenue/ministre du Revenu |
| Prescott and Russell/ Prescott et Russell | Poirier, Jean | L | |
| Prince Edward-Lennox-South Hastings/ Prince-Edward- Lennox-Hastings-Sud | Johnson, Paul R. | ND | parliamentary assistant to the Treasurer of Ontario and Minister of Economics/adjoint parlementaire du Trésorier de l'Ontario et du ministre de l'Économie |
| Quinte | O'Neil, Hugh P. | L | |
| Rainy River | Hampton, Hon/L'hon Howard | ND | Attorney General/Procureur général |
| Renfrew North/-Nord | Conway, Sean G. | L | Deputy Leader of the Opposition/chef adjoint de l'opposition |
| Riverdale | Churley, Hon/L'hon Marilyn | ND | Minister of Consumer and Commercial Relations/ ministre de la Consommation et du Commerce |
| S-D-G & East Grenville/ S.-D.-G. & Grenville-Est | Villeneuve, Noble | PC | Second Deputy Chair of the Committee of the Whole House/ Deuxième Vice-Président du Comité plénier de l'Assemblée législative |
| St Andrew-St Patrick | Akande, Zanana | ND | parliamentary assistant to the Premier/adjoint parlementaire du premier ministre |
| St Catharines | Bradley, James J. | L | opposition deputy House leader/chef parlementaire de l'opposition |
| St. Catharines-Brock | Haeck, Christel | ND | government whip; Vice-Chair, standing committee on the Ombudsman/ whip du gouvernement, Vice-Présidente du Comité permanent de l'ombudsman |

| Constituency | Name of member | Party | Other responsibilities |
|--|----------------------------------|-------|--|
| St. George-St. David Sarnia | Vacant Huget, Bob | ND | parliamentary assistant to Minister of Energy; Vice-Chair, standing committee on resources development/ adjoint parlementaire du ministre de l'Énergie, Vice-Président du Comité permanent du développement des ressources |
| Sault Ste Marie/ Sault-Sainte-Marie | Martin, Tony | ND | parliamentary assistant to Minister of Education/ adjoint parlementaire du ministre de l'Éducation |
| Scarborough-Agincourt | Phillips, Gerry | L | |
| Scarborough Centre/-Centre | Owens, Stephen | ND | parliamentary assistant to Minister of Financial Institutions/ adjoint parlementaire du ministre des Institutions financières |
| Scarborough East/-Est | Frankford, Robert | ND | |
| Scarborough-Ellesmere | Warner, Hon/L'hon David | ND | Speaker/Président |
| Scarborough North/-Nord | Curling, Alvin | L | opposition deputy whip/whip adjoint de l'opposition |
| Scarborough West/-Ouest | Swarbrick, Anne | ND | |
| Simcoe Centre/-Centre | Wessenger, Paul | ND | |
| Simcoe East/-Est | McLean, Allan K. | PC | Vice-Chair, standing committee on government agencies/ Vice-Président du Comité permanent des organismes gouvernementaux |
| Simcoe West/-Ouest | Wilson, Jim | PC | |
| Sudbury | Murdock, Sharon | ND | parliamentary assistant to Minister of Labour/ adjointe parlementaire du ministre du Travail |
| Sudbury East/-Est | Martel, Hon/L'hon Shelley | ND | Minister of Northern Development and Mines/ ministre du Développement du Nord et des Mines |
| Timiskaming | Ramsay, David | L | |
| Victoria-Haliburton | Drainville, Dennis | ND | First Deputy Chair of the Committee of the Whole House/ Premier Vice-Président du Comité plénier de l'Assemblée législative |
| Waterloo North/-Nord | Witmer, Elizabeth | PC | |
| Welland-Thorold | Kormos, Peter | ND | Chair, standing committee on resources development/ Président du Comité permanent du développement des ressources |
| Wellington | Arnott, Ted | PC | |
| Wentworth East/-Est | Morrow, Mark | ND | Chair, standing committee on the Ombudsman; Vice-Chair, standing committee on administration of justice/ Président du Comité permanent de l'ombudsman, Vice-Président du Comité permanent de l'administration de la justice |
| Wentworth North/-Nord | Abel, Donald | ND | government whip/whip du gouvernement |
| Willowdale | Harnick, Charles | PC | |
| Wilson Heights | Kwinter, Monte | L | |
| Windsor-Riverside | Cooke, Hon/L'hon David | ND | Minister of Municipal Affairs, Chair of the Management Board of Cabinet and government House leader/ministre des Affaires municipales, président du Conseil de gestion du gouvernement, et chef parlementaire du gouvernement |
| Windsor-Sandwich | Dadamo, George | ND | parliamentary assistant to Minister of Culture and Communications/ adjoint parlementaire de la ministre de la Culture et des Communications |
| Windsor-Walkerville | Lessard, Wayne | ND | parliamentary assistant to Chair of the Management Board of Cabinet/adjoint parlementaire du président du Conseil de gestion du gouvernement |
| York Centre/-Centre | Sorbara, Gregory S. | L | |
| York East/-Est | Malkowski, Gary | ND | parliamentary assistant to Minister of Citizenship/ adjoint parlementaire de la ministre des Affaires civiques |
| York Mills | Turnbull, David | PC | Progressive Conservative whip/whip du Parti progressiste- conservateur |
| York North/-Nord | Beer, Charles | L | Chair, standing committee on social development/ Président du Comité permanent des affaires sociales |
| York South/-Sud | Rae, Hon/L'hon Bob | ND | Premier, President of the Executive Council, Minister of Intergovernmental Affairs/premier ministre, président du Conseil des ministres, ministre des Affaires gouvernementales |
| Yorkview | Mammoliti, George | ND | parliamentary assistant to Minister of Correctional Services/ adjoint parlementaire du ministre des Services correctionnels |

**COMMITTEES OF THE LEGISLATIVE ASSEMBLY
COMITÉS DE L'ASSEMBLÉE LÉGISLATIVE**

STANDING COMMITTEES/COMITÉS PERMANENTS

Administration of justice/Administration de la justice

Chair/Président: Mike Cooper
Vice-Chair/Vice-Président: Mark Morrow
Members/Membres: Zanana Akande, Jenny Carter, Robert Chiarelli, Mike Cooper, Alvin Curling, Charles Harnick, Steven W. Mahoney, Gary Malkowski, Mark Morrow, Robert W. Runciman, Paul Wessinger, David Winninger
Clerk/Greffière: Lisa Freedman

Estimates/Budgets des dépenses

Chair/Président: Cameron Jackson
Vice-Chair/Vice-Présidente: Margaret Marland
Members/Membres: Gilles Bisson, Gary Carr, Ron Eddy, Will Ferguson, Robert Frankford, Wayne Lessard, Lawrence O'Connor, Anthony Perruzza, David Ramsay
Clerk/Greffier: Franco Carrozza

**Finance and economic affairs/
Finances et affaires économiques**

Chair/Président: Ron Hansen
Vice-Chair/Vice-Président: Kimble Sutherland
Members/Membres: Elinor Caplan, Gary Carr, Norm Jamison, Monte Kwinter, Gerry Phillips, Norman W. Sterling, Brad Ward, Margery Ward, Jim Wiseman
Clerk/Greffier: Todd Decker

General government/Affaires gouvernementales

Chair/Président: Michael A. Brown
Vice-Chair/Vice-Président: Carman McClelland
Members/Membres: Ted Arnott, Will Ferguson, Derek Fletcher, Margaret H. Harrington, Randy R. Hope, George Mammoliti, Rosario Marchese, Bill Murdoch, Dianne Poole, John Sola
Clerk/Greffière: Deborah Deller

Government agencies/Organismes gouvernementaux

Chair/Président: Robert W. Runciman
Vice-Chair/Vice-Président: Allan K. McLean
Members/Membres: James J. Bradley, Jenny Carter, John C. Cleary, Will Ferguson, Robert Frankford, Bernard C. Grandmaitre, Rosario Marchese, Chris Stockwell, Daniel Waters, Jim Wiseman
Clerk/Greffier: Douglas Arnott

Legislative Assembly/Assemblée législative

Chair/Président: Noel Duignan
Vice-Chair/Vice-Président: Mike Faman
Members/Membres: Mike Cooper, Paul R. Johnson, Margaret Marland, Irene Mathyssen, Carman McClelland, Gord Mills, Gilles E. Morin, Stephen Owens, Barbara Sullivan, Noble Villeneuve
Clerk/Greffier: Douglas Arnott

Ombudsman/Ombudsman

Chair/Président: Mark Morrow
Vice-Chair/Vice-Présidente: Christel Haeck
Members/Membres: Zanana Akande, Dennis Drainville, Noel Duignan, D. James Henderson, Paul R. Johnson, Frank Miclash, Bill Murdoch, Anthony Perruzza, David Ramsay, Elizabeth Witmer
Clerk/Greffier: Franco Carrozza

Public accounts/Comptes publics

Chair/Président: Remo Mancini
Vice-Chair/Vice-Président: Joseph Cordiano
Members/Membres: Robert V. Callahan, W. Donald Cousens, Noel Duignan, Robert Frankford, Christel Haeck, Pat Hayes, Paul R. Johnson, Lawrence O'Connor, David Tilson
Clerk/Greffière: Tannis Manikel

**Regulations and private bills/
Règlements et projets de loi privés**

Chair/Président: Drummond White
Vice-Chair/Vice-Présidente: Ellen MacKinnon
Members/Membres: George Dadamo, Ron Eddy, Mike Farnan, Ron Hansen, W. Leo Jordan, Gord Mills, Tony Ruprecht, John Sola, Kimble Sutherland, Jim Wilson
Clerk/Greffier: Todd Decker

Resources development/Développement des ressources

Chair/Président: Peter Kormos
Vice-Chair/Vice-Président: Bob Huget
Members/Membres: Sean G. Conway, George Dadamo, W. Leo Jordan, Paul Klopp, Dalton J.P. McGuinty, Sharon Murdock, Steven Offer, David Turnbull, Daniel Waters, Len Wood
Clerk pro tem/Greffier par intérim: Todd Decker

Social development/Affaires sociales

Chair/Président: Charles Beer
Vice-Chair/Vice-Président: Hans Daigeler
Members/Membres: Dennis Drainville, Joan M. Fawcett, Tony Martin, Irene Mathyssen, Yvonne O'Neill, Stephen Owens, Drummond White, Gary Wilson, Jim Wilson, Elizabeth Witmer
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Second Session, 35th Parliament

Assemblée législative de l'Ontario

Deuxième session, 35^e législature

Official Report of Debates (Hansard)

Thursday 1 October 1992

Journal des débats (Hansard)

Jeudi 1 octobre 1992



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 1 October 1992

The House met at 1333.

Prayers.

MEMBERS' STATEMENTS

HAILEYBURY SCHOOL OF MINES

Mr David Ramsay (Timiskaming): This year, Northern College's Haileybury school of mines is celebrating its 80th birthday. The year marks an important page in the history of the school of mines.

Mining subjects were first introduced in 1912 in conjunction with the Haileybury High School. In 1917, a building known as the Mill was built. The building was equipped by the many mines of northern Ontario for the treatment of gold and silver ores. By 1929, the accommodations had become inadequate, so a modern structure was built and opened by 1931.

The school was closed in 1943 due to the Second World War and low enrolment. In 1944, the provincial government passed legislation to operate the school as the Provincial Technical Institute of Mining. In 1945, the institute was opened with a high-level course of study in mining subjects and considerable new equipment for hands-on work.

In 1967, the mining institute was incorporated into the Northern College of Applied Arts and Technology, which has campuses in Kirkland Lake, Kapuskasing, Moosonee and South Porcupine. Many Timiskaming residents, as well as people from all over the world, have received quality education at the Haileybury school of mines. This has helped to make the school world famous.

During the week of October 1, the school will be officially celebrating its birthday. I would like to take this opportunity on behalf of myself and the province of Ontario to congratulate the faculty and the students, and I wish them all the best for the next 80 years.

RECREATIONAL LAND

Mr Allan K. McLean (Simcoe East): My statement is for the Minister of Natural Resources, and it concerns a policy that will have a detrimental impact on senior citizens and others on fixed incomes.

Minister, you recently announced rent increases for recreational lots on crown land, including recreation camps for fishing and hunting, summer resort leases and cottage leases in provincial parks. Your new formula will result in annual increases of 15% or \$100, whichever is greater, until the rent based on market value is achieved over the next five years. In Algonquin and Rondeau provincial parks your new formula will virtually double these fees from the current average of \$1,200 to \$2,450 by the end of the five-year period.

I find this annual 15% tax grab to be completely unwarranted and unacceptable at a time when the annual rate of inflation is hovering around 3%. Your new formula will have an injurious impact on leaseholders who are senior

citizens, as well as many others who are struggling to survive on fixed incomes.

I urge you to reconsider your new formula that will result in annual 15% rent increases for recreation lots and crown land. Instead, you should implement a more moderate policy that truly reflects responses to the troubled economic times facing the people of Ontario.

Your cutbacks in tree planting, cutbacks in the conservation officers, your cutbacks in the fish habitat—Minister, you're destroying the Ministry of Natural Resources.

GLENN GOULD

Mr Robert Frankford (Scarborough East): The 10th anniversary of the death of Glenn Gould at the early age of 50 has been the occasion for tributes and special events. I would like to take this opportunity to add a few remarks in the Ontario Legislature.

Gould was born in Toronto and was an outstanding musician and pianist. His virtuoso interpretations of Bach are particularly famous for their technique and his distinctive interpretations.

It was in his character to go his idiosyncratic way. Beneath apparent eccentricity was a consistent wisdom. In 1964, he made a deliberate decision to stop being a concert artist, feeling that performance was better done through recordings. He still maintained himself in the forefront of pianists of his time, evidence of his capacity to continue his horizons and those of his audience. He was evidently ahead of his time, relishing McLuhan's electronic village and using media to communicate his thoughts on music and much more.

He was a creator for television and radio, and in the past two weeks we have been able to hear on CBC radio his documentaries. They clearly show his insight into his surroundings and his vision of Canada as a northern country.

The increasing interest in his life and works, which has been very much helped by the Canadian Broadcasting Corp and by our Ontario Ministry of Culture and Communications, which supported the 1992 Glenn Gould Conference, appropriately enough on "Music and Communications in the 21st Century," bears testimony to how much his life and works fit our electronic age.

KIDNEY DIALYSIS

Mr James J. Bradley (St Catharines): Kidney dialysis patients in the Niagara region and the dedicated staff at Hotel Dieu Hospital in St Catharines are still confronted with the appalling conditions in the kidney dialysis unit at Hotel Dieu, while funds from the Ministry of Health are allocated elsewhere in the province.

To accommodate the close to 100 patients, the unit must operate from 8 am until 11 o'clock at night, six days a week. The facilities are clearly overcrowded and inadequate. The equipment is outdated and the area utilized is far too small.

I had an opportunity, along with the other members from the Niagara region, to tour with Dr Manning and other medical and administrative staff this particular unit at Hotel Dieu. We came to the conclusion that only the dedication and commitment of the staff allows this essential, life-preserving unit to continue to operate.

I've raised the plight of kidney dialysis patients on numerous occasions in the House and elsewhere. I will continue to focus attention on the intolerable situation until the Hotel Dieu Hospital receives its fair share of the Ontario health care budget to meet the genuine and urgent need at Hotel Dieu.

As Jack Leake, one of the patients, said: "The Hotel Dieu Hospital in St Catharines has operated the regional life support program for dialysis in the Niagara Peninsula since 1974. I've written numerous letters to Premier Bob Rae and the Minister of Health. We are now in need of the \$49 million to be spent for dialysis, bone marrow transplants, chemotherapy and heart surgery." All they want is their fair share of that allocation.

1340

DRIVERS' LICENCES

Mr David Tilson (Dufferin-Peel): I read with great interest the Minister of Transportation's statement, reported in the press today, that he's preparing draft legislation to introduce graduated licensing into Ontario.

Considering that I and my fellow caucus member David Turnbull, the member for York Mills, have been lobbying your government through petitions from our constituents and questions in the House to make these changes for more than a year, I suppose I could congratulate you on your quick reaction, but that would be premature. I regret that you've taken as long as you have to admit that there's a problem and that you have taken this long to once again only give lipservice to the idea instead of releasing the draft bill. An inordinate number of new drivers are involved in accidents on Ontario roads, and we must bring changes to make our roads safer for everyone.

Mr Gerry Phillips (Scarborough-Agincourt): Forty-two years.

The Speaker (Hon David Warner): Order.

Mr Tilson: Your inaction to date on this legislation has cost lives in Ontario, Mr Minister. If you had introduced graduated licences when this government fell into power over two years ago, you could have saved more than 2,400 lives in Ontario. That's almost four deaths a day caused by inexperienced drivers on the road in situations that could be avoided with tighter legislation.

Some 40% of the deaths on the roads involve inexperienced drivers, Mr Minister. It is time for you to stop saying that you will act on this problem and actually do something. Let's see your draft legislation. Move forward and deal with saving lives in Ontario. Why not encourage your party to set aside its job-killing legislation, such as Bill 40, and focus instead on life-saving legislation, such as graduated licensing?

WASTE REDUCTION

Mr Len Wood (Cochrane North): This is Waste Reduction Week all across Ontario, and I would like to take a few moments to inform the House on what is happening in my riding of Cochrane North. Many people believe the north to be a pristine wilderness with an abundance of good, clean drinking water, plenty of fresh air and people living in harmony with their environment. Sadly, this isn't always the case.

Northerners create garbage just like people in southern Ontario. We too are concerned about landfills taking over our land, mill and factory emissions polluting our air, and toxins poisoning our drinking water. We realize that our land has a limited amount of resources. While we must get the maximum utilization of these resources, we also must maintain the balance of nature.

I'm proud to say that many of the towns in my riding are working on the 3Rs principle: reduce, reuse and recycle. Community action groups are educating people on the importance of the 3R program all over Cochrane North. In Smooth Rock Falls, the Minister of the Environment has granted money to supply 100 composters to houses to divert household waste from landfills. Kapuskasing has organized a committee to look into starting the blue box program. Spruce Falls Inc in Kapuskasing is spending \$38 million on a water effluent treatment process, to ensure water in the area isn't affected by the paper mill.

The challenges of recycling are even greater in the north than in the large metropolitan areas due to the economies of scale. Nevertheless, the people of Cochrane North are concerned about their environment and are working hard to preserve the land and resources for everyone's use.

MISSISSAUGA YES COMMITTEE

Mr Steven W. Mahoney (Mississauga West): Today at 5:30 in the Sussex Centre in Mississauga, there will be a kickoff rally for the Mississauga Yes committee. I'm proud to tell everyone in this House that the buttons they were wearing yesterday and I'm wearing again today were distributed by that committee. The red and white ribbons that many members of all three parties have been wearing were the brainchild of that committee. It's a campaign that we hope will spread right across Canada.

This summer I had the pleasure of being in Kenora during the Olympics to witness the gold ribbon campaign that was put on in the city of Kenora for Michael Smith. It was very, very effective and I believe this red and white ribbon campaign can be equally effective if it spreads right across Canada. We in the Yes committee in Mississauga will be urging people in our community and indeed everywhere to tie a red and white ribbon on the tree, on the lamppost, on their antenna, on their doorknob, to wave it for Canada and to say Yes.

To show the non-partisan nature in the way our community is working together, Mr Des Morton, the Canadian historian, who is known to everyone in this House, is our honorary chair. Mr Tim Peterson, Mr Dick Clewes and Mrs Jean Foster are the acting chairs representing all three parties. It's truly non-partisan and we all hope to lead Mississauga to a Yes for Canada.

SENIOR CITIZENS

Mr Cameron Jackson (Burlington South): The UN General Assembly has designated October 1 as International Day for the Elderly which is today being observed for the first time throughout the world. Today we join in paying tribute to the many contributions of the elderly to our society. Today we may also reflect on how the needs of seniors are being met by this government. But if Ontario seniors were to grade the NDP on its handling of their needs, the final mark would be quite unacceptably low.

After completely ignoring any reference to seniors in the last throne speech, the NDP proceeded to drastically cut from the Ontario drug benefit program drugs used by seniors, such as Trental and Persantine. The Ontario tax grant, brought in by the PC government to address rising education taxes paid by seniors, will be cut by the NDP which will take \$100 million in total from the program. Ontario seniors won't receive any assistance from the NDP Fair Tax Commission while at the same time being hit by hidden tax increases.

The NDP also announced budget cuts to municipally run homes for the aged to the tune of \$27 million. Seniors are still waiting for changes to long-term care reforms which appear to be on indefinite hold. Finally, the NDP Health ministry has changed residency criteria for OHIP benefits from four to six months without advising seniors.

On International Day for the Elderly, Bob Rae should remember that seniors deserve to benefit from their years of sacrifice, hard work and many contributions to society. On this day, however, Ontario seniors give the NDP record on their needs an F, which stands for "forgotten." Seniors say, "Bob Rae, if you're going to forget us, you can also forget our support during the next provincial election."

MINING INDUSTRY

Mr Gilles Bisson (Cochrane South): It's with a lot of pleasure that I have an opportunity to rise in the House today in order to tell members of the Legislature and other people watching of a great initiative that has been undertaken by this government by the Minister of Northern Development and Mines, the Honourable Shelley Martel, and the ministry.

We started working with a concerned group of people who are involved within the mining industry throughout northern Ontario in an organization called Save Our North. About 12 months ago, they challenged this government to move on five initiatives, to move forward on a number of issues in order to make the whole situation in mining a lot easier for mining companies and mining juniors, in order to bring on line the amount of reserves that we need within our resource base to keep the mining industry the key player that it is in our economy.

A number of those things that we have announced in the House we've already moved ahead on, namely, the one-window approach to permitting within the mine system. We're looking at some legislation in order to enable the whole situation on how mining companies interact with government much easier.

We announced on Monday the release of a document on mining incentives for the mining industry. That document,

which was prepared through the Ministry of Northern Development and Mines in consultation with the private sector, looks at finding better and smarter ways of utilizing government taxpayers' money to be able to assist the mining sector in order to find which way we can get the biggest bang for our buck.

The paper was released in Timmins on Monday. I would like to quote some of the comments that were made by someone from within the industry about this particular thing:

"This is a new approach that could work better than flow-through," said Parry. "This program rewards successful over unsuccessful and that's a huge advantage. It's rewarding success over activity. It's pretty astute."

I want to say that because it was a long time coming, took a lot of work and received good cooperation among all people and between the private sector and the government.

VISITORS

The Speaker (Hon David Warner): I would like to inform members that we have some very special guests with us today, a visiting delegation which includes two speakers of the provincial assemblies of Pakistan, accompanied by the consul general of Pakistan, and Mr Loftus who was the Speaker of the Wisconsin House for some 10 years. Welcome to our assembly.

We also have, seated in the members' gallery west, Mr Ross Young, a member of the Legislative Assembly of Prince Edward Island, and Mr Velshi, who is the former member for Don Mills. Both of you are most welcome to our chamber this afternoon. Please welcome them.

1350

STATEMENTS BY THE MINISTRY
AND RESPONSES

DESIGN EXCHANGE

Hon Ed Philip (Minister of Industry, Trade and Technology): Earlier today, my cabinet colleague Karen Haslam and I announced that the Ontario government is providing \$2.5 million to help create a home for the Design Exchange here in Ontario.

This new facility will contain an auditorium for exhibitions, a design shop, a new product centre and a resource centre. It will be located at the Ernst and Young Tower, which includes the former Toronto Stock Exchange building.

Through our support, the Ontario government is recognizing the importance of design as a cornerstone of Ontario's future economic growth. Indeed, design was highlighted in our government's recent industrial policy framework as a key component in moving our economy towards higher value added activities.

This is why Ontario's contribution to the Design Exchange is being funded through our Jobs Ontario Capital fund. Through this \$2.3-billion fund, we are investing in important infrastructure projects that will create jobs today and over the long term.

In the case of the Design Exchange, our investment will create over 100 direct and indirect person-years of

employment in construction, a sector that has been particularly hard hit by the recession. When the centre becomes fully operational in 1993, it will employ 14 permanent, full-time staff.

Beyond these immediate benefits, we believe that our support for the Design Exchange will prove to be a long-term investment in the province's capabilities to carry out continuous innovation.

Our recent industrial policy aims to encourage innovation in this province. This means we have to work smarter. We have to create goods and services that people truly want to buy, products and services that have design appeal.

Design appeal can mean many different things: clever function, outstanding beauty or economic sense. But most of all, design creates products that satisfy consumer needs. In short, more and more discriminating consumers are demanding well-designed products and services. Good design can help to create these products and services of the future.

There is no question that design adds value. For example, a study by the Industrial Design Society of America showed that every dollar spent on industrial design generated an average of \$2,500 in increased sales.

Ontario is not alone in recognizing the importance of design. We fully expect that our federal government and the private sector will join us in supporting the Design Exchange. In addition, the city of Toronto is supporting this project through an innovative agreement of its own. For our part, the Ontario government will continue to work with our design sector to build awareness of Canada's design talents both here at home and abroad.

The challenge now is to build on our success from the past and make excellence in design a recognized quality in all that we produce. The promotion of Canadian design not only represents good public policy, but good business sense. In future, I believe the same will be said of Ontario's investment in building the Design Exchange.

Hon Karen Haslam (Minister of Culture and Communications): It is a pleasure for me to join my cabinet colleague Ed Philip in announcing a \$2.5-million grant under the Jobs Ontario Capital program to launch the Design Exchange. It is a recognition, both of the economic significance of culture and the integral importance of design to industry, that the two ministries are partners in today's announcement.

As my colleague has said, this centre will serve as a catalyst to encourage and support the effective use of design in Ontario products and services. In turn, it will help create much-needed job opportunities for the design sector throughout the industry. We are all aware of how tough the recession has been on the Ontario economy, particularly our cultural industries.

The Design Exchange will help create much-needed jobs for architects, industrial designers, software specialists, engineers and artists. Investing in good design not only makes us a more successful society, but it improves our lives and enriches our experience.

The Ministry of Culture and Communications is committed to initiatives that support economic renewal through our cultural industries. This grant from the Jobs Ontario

Capital program will help ensure that our talent and ingenuity in design are recognized worldwide for outstanding goods and services.

The Speaker (Hon David Warner): Statements by ministers? Responses?

Mr Gerry Phillips (Scarborough-Agincourt): I want to respond to the Minister of Industry, Trade and Technology and just say to him that if he believes this is going to be a significant step forward in the economy of Ontario, he's dead wrong.

My concern is that the government continues to say the Jobs Ontario Capital will create new jobs. The minister knows that the Jobs Ontario Capital fund was created exclusively by cutting back capital in other areas. You've only got to look at the budget. You cut capital in every single area and created a budget of \$500 million. There is no new money; statement, end of fact. All it is is a public relations exercise where they've cut the capital, put it into a fund, hired an advertising agency and then gone around making these announcements. You are doing nothing to get the Ontario economy going again.

All the people in the province simply have to look at this page in the budget to show that they are spending exactly the same money on capital this year as last year. The only difference is they cut \$500 million out and set up this special fund.

As I said before in the House, the only new job created here is the advertising agency. The government has gone out and hired an advertising agency to try to make itself look good.

You've announced 14 jobs today, and we appreciate that. Yesterday, I think, in the province of Ontario there were well over 500 people who lost their jobs due to layoffs. I have here the record on plant closures. There are four pages here just to the end of August this year of plant closures in the province of Ontario.

The people of Ontario are looking for the Minister of Industry, Trade and Technology to come forward with some proposals that are going to stop these plant closures rather than spend this time today making an announcement that the Minister of Culture and Communications could have just as easily made herself and to spend his time slowing down these dramatic layoffs.

You talk about capital spending. If we look at what's happened in the construction trades, in August 1992 there were 15% fewer people working in construction than there were a year ago. We see that the unemployment rate in the province of Ontario is at record levels. We see right here in Metropolitan Toronto unemployment higher than in the rest of Canada. We see in the rest of Canada the unemployment rate dropping in August. What's happening in Ontario? It is going up dramatically.

If you will forgive us for calling this a cynical announcement, there is no new money in the Jobs Ontario Capital fund. It is simply repackaging of old money, and we would urge the minister to get on with some real economic renewal programs in the province of Ontario and help get those record numbers of people back to work.

Unfortunately, I understand that perhaps later today we may be hearing that another 400 workers from de Havilland will be laid off. We see the minister today announcing 14 jobs, and we understand that's a step, but during the time he's making this announcement, 400 more people in this province are out of work. It's time to get on with some action by this government to solve this unemployment problem.

Mr D. James Henderson (Etobicoke-Humber): Recognizing the economic limitations of this initiative that my colleague has so aptly pointed out, I want only to say that the concept of a Design Exchange is one that I rather like. I like the idea that we will provide more help to Ontario designers and artists to get their designs into production and marketed. I like the idea that we're going to do that in a way that I hope will benefit Ontario artists and other creative Ontarians, Ontario designers of computer software and medical equipment and Ontario architects and engineers.

Two notes of caution: I hope the minister will ensure that Ontario artists benefit from this initiative, not only designers of readily marketable industrial goods but also Ontario artists. To us, it often seems that the major thrust of this ministry is cutbacks and cancellations and layoffs, and the Art Gallery of Ontario doors are still closed. However, it is nice to see something tangible coming forward, something that will benefit Ontario artists, I hope.

Let's have more of this kind of initiative, more real hands-on help to Ontario organizations and agencies and Ontario artists and promoters of Ontario culture.

1400

Mr Gary Carr (Oakville South): I suspect that until the \$2.3 billion is used up, we're going to have these announcements. My recollection is \$2.5 million; tomorrow we'll spend some more money.

The fact of the matter is that the only investment being done in Ontario is when the government is involved. There is no new investment coming from the outside. As has been mentioned, 100 jobs will be created. The fact is that you're losing 500 a day. You're down 400 today alone, Mr Minister. Your labour legislation, according to estimates, will drive out \$8 billion to \$10 billion. That's four times the total amount you're going to spend in the entire Jobs Ontario Capital funding; four times that will be going out of this province because of your initiatives.

The fact of the matter is, Mr Minister, that you're over-taxing, you're overregulating, you're overlegislating, you're overgoverning. The fact of the matter is that industry is leaving this province in record numbers. This Minister of Industry, Trade and Technology should be embarrassed by the fact that under his direction we are losing more jobs than at any other time in our history. This is a disgrace.

I say to the minister that if you're going to get going, what you need to do is get this economy going by reducing some of the impediments to business and by getting some investment climate so people will want to come here. You're not going to be able to create the jobs to get the 500 we're losing today with all-government money. At the

same time this minister is making these announcements, the Treasurer says we're going to increase taxes. That will do more to drive investment out than any of these announcements.

Mr Chris Stockwell (Etobicoke West): I suppose the most discouraging part about this announcement is that this is billed as one of the cornerstones in the revitalization to the economic woes of this province.

Mr James J. Bradley (St Catharines): No new money.

Mr Stockwell: There is no new money. It is money that's simply being recycled through the budget process. This minister and the Treasurer certainly know that.

What really is discouraging is that the two ministers stand up to make a much-ballyhooed announcement about 14 jobs. Five hundred jobs a day are being lost and two ministers stand here—we can't find them when important announcements need to be made—two ministers seem to find the time today to announce 14 jobs.

The people in this province—

Interjections.

Mr Stockwell: Mr Speaker, 500 jobs a day; thousands and thousands of people are out of work. The economic cornerstone they're hoping to build on represents a design centre in downtown Toronto that when completed will employ 14 people. That's what the people in this province have to look forward to in the way of leadership and growth from this provincial government.

If these two ministers were to put themselves in those unemployed people's shoes, maybe then they'd understand just how discouraging, just how disappointing this kind of announcement is.

The Speaker: Further responses?

Mr Bradley: I'll respond some more.

The Speaker: That's very kind and generous, but the rules don't permit it. It is time for oral questions.

ORAL QUESTIONS

LAYOFFS

Mrs Lyn McLeod (Leader of the Opposition): I came into the House today wanting to reflect on the fact that the people of this province woke up to more bad economic news today. My question was going to be somewhat different because I wanted to address that sense of desperation that people are feeling and the fact that the morning's news simply added to that sense of desperation.

My first question today will now be to the Minister of Industry, Trade and Technology, whose announcement, the announcement that has just been made, speaks to no comfort for those people who are feeling a sense of desperation. But beyond that, I'm sure the minister must have been aware that as he was coming into the House to make that particular statement, there was news about yet another layoff: 400 workers at de Havilland who are about to be laid off. This is a company that this government has had some very direct involvement in.

Why has this minister come into the House today to make a statement that simply plays on the periphery of the

deepest concerns that people have and refuses to make any kind of statement at least acknowledging a further loss of 400 jobs in this province?

Hon Ed Philip (Minister of Industry, Trade and Technology): There is, at the present time, a gap in the orders at de Havilland. De Havilland is alive and well, and it was thanks to the policies of this Treasurer and this ministry that we were able to save the company and not have it go down the drain the way the Conservatives and the Liberals would have done if they'd been in power.

Mrs McLeod: My question to the minister relates to the fact that we keep seeing statements by this government trying to tell people in this province that everything is rosy and that everything is fine: Another 14 jobs have just been created and a little bit more money has been shuffled around within the capital budget so there'll be some short-term job creation.

My question to the minister is, when will he and his government start to acknowledge that we have some very fundamental economic problems and that for every 14 jobs they can find to announce in the House there are another 370 jobs being lost every day? When will they acknowledge that fact and when will they acknowledge that their industrial strategy is not creating one single new job?

Hon Mr Philip: The honourable leader of the Liberal Party, the honourable leader of the official opposition is the first to recognize that we have faced the problem of an economic crisis across North America, and indeed a recession around the world. But it would be nice if she would at least recognize that it's more than 14 jobs that were created with this announcement. It is a policy that for the first time there's an industrial policy for this province, which she failed to create, that will create competitiveness, which she failed to create and which her government failed to create.

Let's look at exactly what is happening. The fact is that Ontario continues to attract investment and companies and is successfully competing in the global marketplace.

Mrs Elinor Caplan (Oriole): Nobody takes that crap seriously.

Hon Mr Philip: I know the member for Oriole, with all her noise, doesn't want to hear good news, but I intend to tell it anyway for the sake of the members who would like to hear it. Glassco—

Interjections.

The Speaker (Hon David Warner): Would the minister take his seat, please. Before proceeding, I would ask members that despite the emotional impact of the issues being raised, members would please exercise some restraint and allow people to place questions and allow people to respond to those questions.

Hon Mr Philip: The leader of the official opposition started off this session by saying that she wanted to provide constructive opposition. I haven't heard one constructive idea from those people on how we can rebuild the economy.

1410

Mrs McLeod: Let me assure the honourable member opposite that at any point at which we change seats we will

offer the constructive alternatives that will really deal with the economy of this province.

Interjections.

The Speaker: Order.

Mrs McLeod: The government House leader talks about copouts. It seems to me it's a copout when the people responsible for providing leadership in economic times keep saying to the opposition, "What would you do?"

If I had not been provoked by the specific comments, what I wanted to come back and say to this minister is, in all seriousness, how can he possibly put so many empty words into the faces of such very desperate people? Surely the minister realizes that the people in this province are without jobs, that they're losing hope daily.

Yesterday I talked to two families in Windsor, where the unemployment rate is 14.3%, and those two families that have had long-time businesses in Windsor told me how close they were to bankruptcy after all these years. They really reflected for me that sense of desperation. In the face of that desperation, all we get from this minister and all we get from this government are announcements and reannouncements of programs that don't actually create any new permanent jobs for people.

In responding to the minister's statement, our critic has very clearly indicated, and we can take the minister chapter and verse through the budget—

The Speaker: Will the member conclude her supplementary, please?

Mrs McLeod: —to show that the Jobs Ontario Capital fund that he has reannounced today does not create one new job. It simply moves money from one place to another. I would ask the minister, how can he keep misleading the public by trying to tell them that these programs are actually creating new permanent jobs?

Hon Mr Philip: As I pointed out in estimates to the critic from the Liberal Party, this minister has provided in this year's budget 96% more direct assistance to business to rebuild from the recession than her government did during the last year in which it was in power.

Some \$300 million in assistance through our development corporations to small businesses across the province, that's what we're doing, and I say that's doing an awful lot more for rebuilding the economy in this province and for rebuilding businesses and for creating jobs than the doom and gloom she preaches all the time. What is that doing for jobs?

LABOUR LEGISLATION

Mrs McLeod: My second question is to the Minister of Labour, because I want to ask this minister about his government's latest misinformation campaign.

The minister released a press release yesterday on amendments to the labour relations proposals, and I have to say that no matter what the press release says, Bill 40 is still not going to address the concerns we hear from people across this province. This bill is still going to jeopardize the ability of employers to survive a labour disruption. It still threatens the delivery of critical services in the province and it still discourages investment and jobs.

I ask the minister why he and his Premier are so convinced that the statement I just made is not true, that this legislation is not going to discourage investment, is not going to cost jobs. Why do they keep refusing to do their own job impact studies? What are they both so afraid of?

Hon Bob Mackenzie (Minister of Labour): I want to tell the leader of the official opposition that I'm not afraid of anything she's raised. We think that what we're doing is the answer. We don't think this country can go down a low-wage route, which is what she is suggesting. We think there has to be an involvement, in the province of Ontario, with workers as well as business, and that is essential if we're ever going to begin to turn around the kind of economic situation we have.

Mrs McLeod: The government has now tabled all the changes it seems prepared to make to the bill and it is difficult for us to find anything that's truly significant in those changes. We're also only too well aware that it has always been this government's intention to ram this piece of legislation through this House this fall.

I would say to the Minister that I believe the consultations this government conducted were a total sham from start to finish. The minister himself did not bother to attend the committee meetings and listen to what the groups had to say. The government set the date for the passage of the bill even before the hearings themselves began. The committee got to hear from only one in five who wanted to make representations to the committee because of the strict time limits the minister imposed, and now the minister has introduced a package of amendments which are just simply tinkering with the bill.

I ask the minister, how can you deny that these public consultations were simply a sham, that your amendments are merely tinkering and that you had absolutely no intention of making any significant changes to this legislation, that you intend simply to ram the bill through the House?

Hon Mr Mackenzie: I think the choice of words of the leader of the official opposition is unfortunate, and it's adding to some of the problem we have and some of the false campaign that's been spread across this province over what might happen as a result of this legislation.

The business ads she seems to rely on are based on a bill that does not include many of the things the information in those ads is based on. I can also tell her very clearly that I don't think we could have moved any changes, other than withdrawing the bill totally, that would have got one word of congratulations from anybody on that side of the House. Therefore, I think we have to proceed with what we see, as a result of our consultations, as being the proper approach to the situation in Ontario.

Mrs McLeod: The minister of course completely failed to address the question, which was, how do you deny that the consultations were a sham when you and the government House leader had already closed off debate and set a date for passage of this legislation before the hearings even started?

As the minister indicates that he questions whether we would support any changes he might have proposed, let me raise one of the specific changes we believed was

responding to the concerns we heard from both business and workers. One of those issues was raised consistently by people who appeared before the legislative committee, and it was the need to protect the rights of workers and employees during organizing drives and strike votes.

If the minister were being fair, I think he would acknowledge that there are many groups and individuals who believe that a mandatory secret ballot for certification is essential to provide a fair and democratic process and to ensure that employees are not coerced or intimidated by a show-of-hands vote. Clearly, these voices have been ignored by the minister. Clearly, this was one of the amendments this government could have brought in if it had been listening.

I would ask the minister whether or not he cares about the business impact, whether or not he cares about the job loss. If he is committed to workers' rights, if he believes in the democratic process, if he has indeed been listening to the concerns that were being raised, why would he not introduce an amendment which would go a long way to protect the rights of workers and allow them to vote freely and without fear for or against a union?

Hon Mr Mackenzie: Very frankly, I'm not sure just what credit to give to that comment, given the fact that you've said it was a totally useless exercise in consultation. This minister attended meetings with 330 groups around the province.

Interjection: Handpicked.

Hon Mr Mackenzie: Handpicked? The majority were business. We'll tell the business people at those hearings.

The member knows that the minister doesn't usually sit in once you get into the standing committee of the House, although I had no difficulty if I had been requested to do so.

I want to tell you also that in terms of the vote, that's not been the approach in Ontario since the Tories brought this legislation in 40 or 50 years ago, and I don't know why we'd take a step backwards in what we have in the way of labour legislation in Ontario.

The Speaker (Hon David Warner): The leader of the third party.

Mr Michael D. Harris (Nipissing): This is the first time I have ever heard a minister of the crown say that moving to improve the democratic rights of workers is a step backwards. Shame on you. The one opportunity where you had the chance to take a positive step forward, you did not do so.

The Speaker: To whom is your question directed?

Mr Harris: My question is also to the Minister of Labour. Minister, yesterday when I asked the Premier about your job-killing legislation, the Premier said, and I now quote from Hansard: "There's no threat to jobs in this legislation; everybody knows it." That was the direct quote from your Premier.

Minister, I don't believe the Premier's statement is correct. Can you produce in this House today one shred of evidence that will back up the Premier's claim that there is no threat to jobs in this legislation? Do you have one shred of evidence, other than the Premier saying so, that will

back up the claim and restore some credibility to your Premier's statement of yesterday?

Hon Mr Mackenzie: I think it's unfortunate that the leader of the third party puts the working people of this province in such a lower position—

Interjections.

The Speaker: Order.

Hon Mr Mackenzie: What he is saying—

Interjections.

The Speaker: Would the minister take his seat.

Interjections.

The Speaker: The Minister of Labour.

1420

Hon Mr Mackenzie: I want you to know that I agree with my Premier's position. I think one of the things that's wrong in this province is that in a very tough economic situation we have not decided that one of the important things we have to do is involve the workers themselves in the decisions that affect them and give them some input, some empowerment in making the changes that may need to be made in the province of Ontario. That's exactly what's behind the legislation we have before us now. I think it will mean a real improvement in our ability to compete in this province.

Mr Harris: We've heard you tell Bob White, we've heard Bob White tell Bob Rae, we've heard the three Bobs all tell each other that you believe something to be so. I asked you if you had one shred of evidence from anybody other than one of the three Bobs—the Billy Bobs—to support the statement the Premier made.

We know of two impact studies that both claim this legislation will destroy jobs and kill investment in Ontario. One was commissioned by the Liberals back in 1990; you won't even acknowledge that one. The second was done by the internationally renowned firm of Ernst and Young; you continually smear and discredit their study.

Minister, Ernst and Young estimates that 295,000 jobs will be killed by your legislation. Many who came before you at the hearings told you the same thing. You tell us that they're all wrong. Ernst and Young is wrong; all the other independent studies are wrong. Your Premier said yesterday, "There are no threats to jobs in this legislation." I'm asking you one more time: Do you have one shred of evidence, other than you three Bobs chatting among yourselves, that supports that claim?

Hon Mr Mackenzie: I find it really difficult to understand why the leader of the third party would not believe that if we can involve, in a positive and productive way, the workers in this province much more effectively in the decisions that affect them and how we want business, we would have a more productive economy. I think that just goes without saying.

Mr Harris: Both you and the Premier, without one shred of evidence to the contrary, have smeared the one study that's been made public. You refuse to acknowledge the Liberal study, but the Ernst and Young study was an independent one. You call the Ernst and Young study

"misleading" and "fearmongering." The Treasurer calls the Ernst and Young study "bogus."

This morning, the public accounts, the blue book, came out. Ministry after ministry list the consulting firm of Ernst and Young in their statements. In fact, Minister, your government paid out nearly \$4 million in one year to Ernst and Young just for consulting services; 16 different ministries consulted with Ernst and Young, paying \$4 million.

Can you explain to me why Ernst and Young have credibility with 16 different ministries, to the tune of \$4 million, as appears in these accounts alone this year, but when they do a study you disagree with, even though you have no study of your own to refute it, somehow or other you dismiss the results as misleading, as bogus, as fearmongering? Can you explain why 16 ministries think their advice is pretty good, but on this study, when you disagree, it's bogus?

Hon Mr Mackenzie: The survey—and it was much more a survey than a study—itself said it might be coloured by the respondents' opposition to the labour legislation, their desire to see that we didn't proceed with it. So I think there is a real question of credibility.

I can tell you also that the figures that are used, the figures you're now using, are figures that don't stand up, because they're based on a bill that had been changed dramatically months before that survey was finished. It just seems to me that it does not hold water, and I don't know why you continue to say that a study that was not a study but a survey of opinions of business people—

Mr Chris Stockwell (Etobicoke West): Because it's the only one we've got, Bob. Where's yours?

The Speaker: The member for Etobicoke West, come to order.

Hon Mr Mackenzie: —is now the Bible for us in what we do in this province.

Mr Harris: My second question is also to the Minister of Labour. He keeps telling us he represents working men and women across this province; unfortunately, he's representing a shrinking audience, by the tune of 500 every day.

Minister, you and your Premier, whether you three Bobs understand it or not, have absolutely no credibility on this issue of the jobs that are being destroyed and the investment that is being lost with your legislation.

Yesterday you told us you had listened and in fact made changes to the legislation. In fact, when we got a chance to look at them, most objective observers have described your amendments as little more than window dressing. Some of yesterday's amendments actually involve no more than grammatical changes to the French translation of the bill; you've tried to count those to make it look a little better.

Could you tell me this: How have the changes you made addressed in any way the universal concerns that were brought by working men and women all across this province, by card-carrying union members all across this province—I know not by the union leaders, but by the working men and women who pay their salaries, by the business community, by virtually all sides except the union

leaders, the Bob Whites? We know they didn't want secret ballot rights. Can you explain why not one change was brought forward, if you were truly listening, to a fundamental, democratic right that the vast majority of card-carrying union members in this province wanted: the right to a secret ballot? Why did you not listen to that and bring it forward for certification and strike votes?

Hon Mr Mackenzie: If we can get away from the unfortunate and I think nasty character attack on union leaders in this province, I don't think they're as negative as the leader of the third party seems to think; I think most of them are ready to see major changes to try and deal with a tough economic situation. So that, as a matter of fact, is unfortunate.

In any event, I'd like to see the figures the leader of the third party is using in terms of this overwhelming demand by workers for a change in the legislation in terms of a vote that's been in place for 40 or 50 years. I certainly haven't heard it.

Mr Harris: I think you will know that one very reputable polling firm asked card-carrying union members, and I think 86% said they wanted the secret ballot right. Do you have a study done by anybody that shows their independent study was wrong? I ask the minister that again.

You know what you announced yesterday was nothing more than a public relations exercise. We understand that. I guess it was something you felt you had to go through to pretend you were listening. But you did not listen to shop-floor union workers; that is clear: There is no provision for a secret ballot. You didn't listen to business; that is clear: The provisions that most hurt them, you left untouched.

And what did this so-called "consultation process" cost? It cost \$200,000 of taxpayer money for public consultations that you totally ignored. Minister, let me ask you this: Why did you waste \$200,000 of taxpayer money and all the time and money of the private sector, union and individual presentations before the committee if you knew in advance you weren't going to listen anyway?

Hon Mr Mackenzie: There are suggestions, including suggestions in the changes—and I don't intend to go into detail; they'll be discussed in the committee—that came directly from some of the businesses and from some of the big businesses in this province.

I think it's unfortunate that the kind of categorization once again has been given that we've had from the leader of the third party. I don't think it's accurate, I don't think it holds up, and it certainly doesn't show an understanding of what people want in terms of changes in the province of Ontario.

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Mr Harris: By way of supplementary on the other question, the minister asked for evidence. Environics, a reputable polling company, said that 88% of NDP supporters and 89% of union members agree that the choice of union or non-union representation in the workplace should be decided by secret ballot. So you did not listen to 89% of card-carrying union members in this province.

I ask you then again, why did you spend \$200,000 on a process which your own NDP committee Chair

acknowledged was a sham? Halfway through he said, "There'll be no significant changes made." Now we know that was true, having seen your amendments yesterday. We know you ignored 89% of card-carrying union members, and you don't even have any advance on an impact study of your own to show for the 200,000 taxpayer dollars you spent.

Minister, this game you're playing with Ontario's economic future, with the jobs of our working men and women, with the future jobs for our children and the men and women who are looking for some hope from you, from this government and from this province has gone far enough. Ontario cannot afford your payback to the big union bosses against the objection of business, against the objection of virtually 90% of card-carrying union members.

The Speaker: Would the leader place his supplementary, please.

Mr Harris: I would ask you this, Minister: Before you destroy and kill more jobs and more investment, will you take a positive step we will all applaud—if you're looking for something positive from the opposition in a suggestion—and scrap this job-killing legislation dead in its tracks right now?

Hon Mr Mackenzie: I think the member should understand that I'm not playing any games—it's not my particular style—and I don't intend to. I also find it interesting that you're now objecting to the \$200,000 we spent on consultation when one of your arguments all along is that we haven't been willing to consult or haven't consulted. It doesn't make any sense at all.

I think the member should understand that there is a necessity to reach a level of cooperation and understanding between business and labour if we're going to get out of the mess we're in in this province, and that's exactly what we're aiming for.

ECONOMIC OUTLOOK

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Treasurer and has to do with the status of this year's finances. The Treasurer will acknowledge that literally from the day he announced the Rae budget my leader and our party have questioned his revenue estimates. I know you don't agree with us. We've asked the Provincial Auditor, as you know, to examine it and give us an independent view on it.

I was interested a few short weeks ago, when you released your first quarter budget report, I think towards August 1, you said, "The 1992 budget remains on target." Treasurer, my question to you is this: I assume the budget is still on target. Can you confirm to the House today that the 1992 budget remains on target?

Hon Floyd Laughren (Treasurer and Minister of Economics): I am pleased to respond to the member for Scarborough-Agincourt on this the second anniversary of the swearing in of this government. The member asks about whether the budget is on target. I am not completely certain as to which components of the budget he is referring to.

Interjections.

Hon Mr Laughren: If you would let me complete my sentence, I will try. If the member is talking about our revenues and expenditures, more details will be provided when we bring down the second-quarter finances about the end of October, but generally speaking, while there are the traditional pressures on our expenditures this year, we are going to work very hard to make sure that we do stay on target with our expenditures as much as we possibly can, and I think we can. On the revenue side, at this point in time there does not seem to be a reason for altering the projections that were in the budget.

To answer the member as directly as I can, yes, at this point in time we are on target. However, as I said, there are considerable expenditure pressures, but we intend to control those.

Mr Phillips: The reason I raise it with the Treasurer is that at the time you release your quarterly report, the federal government, as you know, also releases its quarterly report, and there's a fair discrepancy, I think, Treasurer, in your numbers and what the federal government reports.

For example, you estimate that corporate profit revenues, corporate tax revenues, this year will go up by 5%. The federal government says, year to date, they're down by 32%. You estimate that your revenue from personal income tax will grow by a little more than 1%. The federal government says it is down by almost 4%. You say that your provincial sales tax revenue will increase by, I think, if I'm not mistaken, about 5%, and you cannot directly compare it, but the GST revenues are down by 18%.

I realize those are national numbers, Mr Treasurer, but the reason I raised it with the Treasurer was to give the Legislature some idea of this tremendous discrepancy between what the federal government's reporting, albeit national numbers, and what you're reporting. I'd like some assurance, Treasurer, that you have looked at the numbers and on the assurance you gave me earlier, that our revenues indeed are continuing to be spot on.

Hon Mr Laughren: I don't use the term "spot on" any more, but I would say that when the federal budget came down in the spring I did comment at that time that I thought the numbers in the federal budget were somewhat optimistic. I believed it then and I believe it now.

We don't have a lot of numbers now that can make direct comparisons to the numbers the member for Scarborough-Agincourt uses. However, I do know that the corporate profits he refers to were up substantially in the first quarter of 1992, albeit from a very, very low base, so I'm not taking a great deal of satisfaction from that number, other than to say that at least it's an increase over 1991, which as we all know was a disastrous year for corporate profits.

I think at this point in time we do appear to be reasonably on target, as accurately as you can be when you're dealing with the billions of dollars. It is my intention in the next week or two to lay before the Legislature an economic outlook which will lay out some of the numbers and some of the revised forecasts for things such as unemployment rate and job creation for 1992. Then that will be followed at the end of the month by the second-quarter

finances, which will of course lay out the expenditures and revenues for the first half of the fiscal year.

1440

AUTOMOBILE INSURANCE

Mr David Tilson (Dufferin-Peel): My question is to the minister responsible for bringing us Bill 164, the Minister of Financial Institutions. Mr Minister, after your retreat or your holiday in Honey Harbour you were quoted in the *Globe and Mail* as saying that the insurance companies' premiums would not be increased as a result of your amendments. Prior to that, some time ago, you said that rates would drop by as much as \$45.

All the actuarial studies that have been prepared by the insurance companies, particularly the Insurance Bureau of Canada, have said that rates will in fact go up anywhere from 20% to 50%. In the studies by Mercer, which you tabled in the House yesterday—and which, I might add, you've been hiding for four months from us, because I see the date on it is June—Mr Mercer also says that rates will increase, that the costs will increase.

Having heard all that, Mr Minister, having heard your contradictions back and forth and the statements of Mercer, are rates going to go up or are they going to go down as a result of Bill 164?

Hon Brian A. Charlton (Minister of Financial Institutions): It's unfortunate that the critic for the third party wasn't here when I made my comments during the debate yesterday, because I addressed specifically that question.

Mr Charles Harnick (Willowdale): They were brilliant. I was there; they were brilliant.

The Speaker (Hon David Warner): Order.

Hon Mr Charlton: Although obviously the member for Willowdale didn't hear them either, because he couldn't keep quiet long enough.

Mr Chris Stockwell (Etobicoke West): We heard them.

The Speaker: Order.

Mr Harnick: Oh, really? That apology? That wasn't a statement; that was an apology.

The Speaker: The member for Willowdale.

Hon Mr Charlton: All of the estimates the member is talking about are exactly that. They are actuarial estimates of the cost of a product that hasn't been implemented yet.

Mr Harnick: Now they're estimates. Yesterday they were figures.

The Speaker: Order.

Hon Mr Charlton: I note that the member had to correct himself when he talked about premiums and then had to correct himself to refer to costs. The Mercer study shows that the cost of our package will be about 4.5% higher than the cost of the Ontario motorist protection plan, a product which has been significantly overpriced in the marketplace for some time.

We still believe we can implement the new package for no cost. But I said very clearly yesterday during the course of the debate that although I wasn't prepared to see the industry get significant increases in advance, as

the Liberals handed them in the last round, we would sit down with the industry and monitor the real cost, the loss cost to the industry, of this product and deal with it accordingly.

Mr Tilson: You know, you're the member who said we're going to have government-run auto insurance—great promises.

Mr Minister, you've said that rates are not going to increase. That's what you've told us. In fact, some time ago you said that rates were going to decrease; they're going to go down by \$45.

I look at Bill 164, and it looks like you're going to give your cabinet a lot more power. It looks like the cabinet is going to authorize the increasing or the decreasing of rates. I don't know what that's going to do to the insurance commission.

My question to the minister is: Do you intend to put forward government controls on what amount insurance companies can increase or decrease their companies'—are you going to put that sort of control on that you did with respect to rent controls in housing?

Hon Mr Charlton: It is not our intention at this point.

MUNICIPAL BOUNDARIES

Mr David Winninger (London South): My question is directed to the Minister of Municipal Affairs. Minister, last week you came to London to hear upwards of 60 submissions from the public regarding the London annexation proposal. You heard concern expressed regarding the protection of valuable environmental land, environmentally sensitive areas, agricultural lands, wetlands, wildlife corridors, heritage sites, valley lands and floodplain lands. You also heard about the need for comprehensive social planning, including affordable housing, social services, child care, health services and impaired transit. Minister, what are you planning in response to the constructive suggestions you heard in London last week?

Hon David S. Cooke (Minister of Municipal Affairs): I appreciate the question and I appreciate the participation of all the local members last week in the hearings, both in our caucus and in the Conservative caucus, and the member is quite correct: There were a lot of very positive suggestions I believe can be incorporated into the legislation after we complete second reading and have the public hearing process here in Toronto and the clause-by-clause consideration of the legislation.

I agree with the presentations that were made last week that say that we need to strengthen the provisions of developing a social plan, the idea of a rural advisory committee, the idea that we have to improve the protection provided in the legislation for protection of the environment, and also the whole concept of improved compensation for the county and specifically the issue of suburban roads. Those are major issues that I believe we can together address with the people from the county and the city.

Mr Winninger: Concern was further expressed on behalf of the employees of the London Public Utilities Commission that following the elimination of the PUC, jobs, working conditions, benefits and job classifications be preserved.

Minister, what steps will you take to ensure that the terms of employment with the city, including remuneration, seniority, pension, superannuation, benefits, vacation and holiday pay, will be no less favourable than those enjoyed by the employees while in the employ of the London PUC?

Hon Mr Cooke: That commitment was given to the public utilities employees both by the province and by the city of London. We're working on the regulations that will be attached to Bill 75 and I've invited the direct participation of CUPE, along with the city of course, to develop regulations that will provide those protections for the current employees of the public utilities commission.

CAPITAL FUNDING FOR SCHOOLS

Mr Charles Beer (York North): My question is to the Minister of Education and it concerns the provision of school capital.

Minister, in going back through questioning in June, I note that on June 10 you indicated it was your hope that by the end of that month you would be in a position to tell the boards what their capital allocation would be for the 1994-95 fiscal year. Subsequently, on June 30, at the end of an announcement on another matter, you stated, "I would also like to tell members that announcements on the 1994-95 capital allocations will follow during the month of July."

I know that today is October 1. Indeed, the Treasurer reaffirmed that a few minutes ago. I would like to ask the Minister of Education when he will be announcing the allocations for school board capital for 1994-95 so that school boards can get on with the planning they need to do. This is already over six months late in its announcement.

Hon Tony Silipo (Minister of Education): I think the member opposite is quite accurate in the description of the comments I had made and my anticipation at the time that I would in fact be in a position to make the announcements before the end of the last sittings of this Parliament. I expect to be in a position very shortly, over the next couple of weeks, to indicate to the House one of two things: either to make the announcements or to indicate a specific time at which the announcements will be made.

I can just say very briefly that over the summer we have been looking at the requests. We have also been trying to look at some other issues that are related to the capital financing, which I know the member is aware of, one of those being the issue of the use of multi-use facilities and the encouragement of some of those initiatives.

Quite frankly, we are at the point now of trying to make a decision as to whether we should proceed with announcing the capital funding for the three years forward, in the same way that we've done before, or whether to take a little bit longer and to contemplate some further changes.

Mr Beer: Frankly, the answer that the minister has given today, like the one that he gave back in June, raises far more questions than it answers.

I have here a letter from the Carleton Roman Catholic Separate School Board and I've had concerns expressed by, in particular, other growth boards in Peel, Durham, York, Niagara, London and St Catharines, all those areas

that are experiencing growth, saying: "We need to know what the allocation will be because we have learned now that we can plan, given that the previous government had said, 'We'll provide you with those capital announcements over a three-year span,' and here we are, still waiting for the 1994-95 announcement."

What the minister appears to have said is that he might make an announcement, he might make an announcement about when he will make an announcement, but the announcement that he might make may not be an announcement about capital but rather an announcement that might tell us something else. Frankly, I don't think that is acceptable to the school boards.

My question then is this. Minister, can you make a commitment, not simply to this House but to the school boards and to the parents of school children in this province, that before the end of October you will make a specific announcement about capital allocation for new school construction and, secondly, that next spring, following the budget, you will in the normal fashion make the announcement for the 1995-96 school capital allocation at that time and not six months later or even longer? Will you make those two commitments today in this House, Minister?

Hon Mr Silipo: I can say to the member opposite that certainly between now and the end of October I'll be in a position to be much clearer about the directions we are pursuing. I want nothing more, quite frankly, than to be able to make the announcement about those allocations.

I understand the pressures that the member has alluded to with respect to some of the growth boards, but we are also looking at that issue in terms of how we can be the most helpful to school boards in that area and along that issue. I have a meeting coming up with the advisory council that is working with me in the refinancing process, and we have this issue on the agenda to discuss.

That meeting is set for October 15, so certainly I expect that between now and the end of October I will have something more precise that I can announce.

1450

RACE RELATIONS

Mr Charles Harnick (Willowdale): My question is to the Attorney General. When you announced the formation of a commission on race relations, you stated publicly that it was your opinion that the justice system was rife with systemic racism. Statements such as that slander the reputation of every judge, crown attorney, justice of the peace and police officer who makes up the justice system. I advise you as well that you're also slandering the very people who work for you.

Stephen Lewis at the same time said we actually know very little about race relations in the courts or the laying of charges or the granting of bail or, above all, correctional institutions. How could you come to this conclusion? I'd like to know on what authority you made that conclusion public.

Hon Howard Hampton (Attorney General): To be clear, I was asked if I thought there were some systems in place within the traditional justice system in Ontario which

might result in some people being treated differently from others.

I do believe that, and I gave as an example the way in which aboriginal people are treated in many northern communities and in some urban areas. We have a history of jailing far more native people than any other percentage of the population. We have had a history of jailing native people for failure to pay fines. We have a history of jailing native people for offences such as drinking.

When I was at the news conference, I suggested that our traditional justice system in Ontario has not been sensitive to native culture. It has not been sensitive to the way that native people have had to adjust to our society. I stand by those comments and I believe it is time that we took a close look at our justice system to see if it is sensitive, if it is aware, if the practices, the processes and the procedures we have in place have kept pace with a changing Ontario.

Mr Harnick: It's interesting to note that now that he has a chance to reflect on what he said, he is speaking with some qualification, and he's not generalizing about the very people who work for him who are owed an apology.

To go on, this commission that you've set up is designed to determine whether there's discrimination in the justice system. In order to present a clear and unbiased judgement of the justice system, is it not incumbent on the government and on you as Attorney General to release the crime statistics that we know exist, but have been hidden, so we know just who is entering the justice system and why?

Hon Mr Hampton: I would be pleased to engage in a debate with the member opposite as to what we understand by systemic discrimination. I want to point out to the member, and I pointed this out quite clearly at the press conference, that we're not engaged in an exercise of fault finding here, and I was very clear about that. We're engaged in a system of looking at the justice system in general in Ontario to see if there are practices, procedures and processes in place—

Mr Harnick: Tell us who was using the justice system. Just give us the statistics.

Hon Mr Hampton: —that may treat some groups in a different way than others.

Mr Harnick: Then give us the statistics. We don't want your opinions any more.

The Speaker (Hon David Warner): Order, the member for Willowdale.

Hon Mr Hampton: If the member had taken the time to read the terms of reference of the commission, he would understand that the commission will be entitled to engage in academic studies, objectives studies to review information that is available from police forces and other sources and to review, if it wishes, whatever statistics, whatever information may be available, both from present-day and historical data.

SHORELINE MANAGEMENT

Mr Paul Klopp (Huron): My question is to the Minister of Natural Resources. Previously, as a councillor for the township of Hay, I participated in the Ausable Bayfield

Conservation Authority proposed shoreline management plan, and now, as a member of the provincial Legislative Assembly, I have continued in that participation.

But over the last number of months, Mr Minister, I have received many questions, concerns, letters etc from residents along the shoreline who have made comments with respect to the shoreline management plan, specifically areas where they feel they're going to be too restrictive on their properties, causing property values to depreciate.

I would like to know if the minister has accepted the shoreline management plan as proposed, or is he still open to questions and comments from citizens like the people from Hay township, Stephen etc?

Hon Bud Wildman (Minister of Natural Resources): I thank the member for Huron for his question. I know this matter is of concern to many Ontarians, not just those in his own riding who own lakefront property. The Ministry of Natural Resources has been working with conservation authorities across Ontario for a period of several years to develop a policy statement establishing standards for mapping out flood and erosion hazards across the province. We are responsible for protecting the environment and minimizing threats to life and property.

I want to assure the member that the policy is in fact in draft form and that we are indeed accepting all comments and questions that land owners and others who are interested in the policy may have, and I'd be happy to receive as many as possible so that we can proceed on the basis of those concerns.

FOOD BANKS

Mrs Yvonne O'Neill (Ottawa-Rideau): My question is for the Minister of Colleges and Universities. The member for Hamilton West, now the Minister of Colleges and Universities, was a member of the standing committee on social development when it released its report on food banks in April 1990. The member for Hamilton West pontificated at that time, "New Democrats consider that it is...an injustice and an insult to scores of thousands of Ontarians who are able to manage their own affairs, that they should be driven...to resort to the private charity of food banks...."

The students of the University of Toronto, the students of York University, the students of Ryerson, after scraping together the money for their tuition, are being forced to use food banks on their very own campuses. These students can't find part-time jobs because the New Democratic government can't manage Ontario's economy. Mr Minister, what message do you have for these students who find themselves in such dire distress?

Hon Richard Allen (Minister of Colleges and Universities): I think all of us understand that it is a very difficult time for many people in our population. Social assistance recipients, for whom we have virtually doubled our social assistance moneys, are still finding it difficult to stretch those dollars and in fact are patronizing food banks. It's not surprising that other people on income support programs have the same problem.

But I want to assure the member that we have tried to expand the availability of funds and programs through the Ontario student assistance program. Last year we added \$50 million to OSAP, \$20 million the year before. Our dollars already on record are 19% up from what they were last year. Those dollars are helping all those students who have eligibility capacity to access that program on a needs basis. We are doing our best to try to meet those needs.

I've asked the ministry, this very day in fact, to conduct a survey of Ontario's universities and colleges to try to determine what those additional needs are, if there are some, and to look at how many universities are finding students having to resort to those circumstances, so I can get a bit of a handle on that problem. That's a very new phenomenon in Ontario's universities and we want to respond to it as best we can.

1500

Mrs O'Neill: I'm not sure that "as best we can" is going to do the job here. The Toronto Star of September 29 quotes Derek Sweeney, a director of the Daily Bread Food Bank, as saying that food bank officials have tried to discuss this very serious situation with government officials and they've been told that this is recession-based, that the problem will go away when the recession goes away. This is just a very callous response to a very serious situation.

Many of these students, and the minister knows this and made allusions to it, are sole-support mothers who are trying to upgrade their education, better their lives, do something for themselves and their children.

Minister, I'd like you to tell this House what the NDP government has as an action plan. You've told us you're going to gather facts, that you're going to try to determine needs. You know there are needs. These things would not be existing if there were not needs. Food banks would not be on campuses if there weren't real needs. Why do a survey?

I'd like to ask the minister what action plan he has when he gets these results he's seeking and what definite time lines he has to serve the students who are in a shameful and insulting condition on the campuses of this province.

Hon Mr Allen: I think that to call ministry officials' response to this question a callous response is not to take account of the facts that I just recited a few moments ago for the member. In fact, we are working very hard to deal with the issue.

First, we're looking at a significant reorganization of OSAP, and I would have to say that most of the options in that indeed respond to the need of sole-support parents, who you mentioned, for greater support in order to carry their studies through. I quite acknowledge that's an important problem with that particular group. Second, we're trying to find a one-window shopping opportunity for sole-support parents and for persons on social assistance so that they can better access OSAP and not have the runaround they've had under past governments, where they had to go to two different offices and they got two systems overlapping each other.

We're trying to solve those problems for those students, but that every single problem of every single student

who has a financial problem of whatever source can be dissolved by the global problem is just simply a proposition that isn't totally tenable.

HIGHWAY BILLBOARDS

Mr Ted Arnott (Wellington): My question is to the Minister of Transportation. The minister has announced his intention to raise the fees for certain categories of field advertising signs from \$45 to \$60 in 1993, which represents a 33% increase. Other sign categories could see up to a 113% increase.

These sign increases affect small business and especially tourism in the north. These increases are nothing more than an additional tax on an industry which is clearly already overburdened by taxes. The ministry collects the \$60 fee and the tourist operator has to put up the sign himself or herself, erect the sign. The tourism industry is devastated by a recession and this government's reluctance to address the overburden of taxes in this province. How can the minister justify a sign fee increase of this magnitude, which will hurt an industry which is already on its knees?

Hon Gilles Pouliot (Minister of Transportation): The sign issue has been an ongoing impasse, and yes, a dilemma for each and every Minister of Transportation throughout the years. Simply put, some of the signs and their impacts, which the honourable member is so justly prepared to defend, have not come under revision since 1982. That's a full 10 years and yet the cost of administration—

Mr Chris Stockwell (Etobicoke West): Gouge them. Gouge those taxes.

The Speaker (Hon David Warner): Order.

Hon Mr Pouliot: —vis-à-vis the program has gone on significantly each and every year.

Through normalcy, in order to honour the responsibility of having what you charge people responsible for advertising, a sum of money that comes at least close to the cost of running the program—well, we're not quite there yet, but we know that these are very difficult times and that people should not be overburdened.

Interjections.

The Speaker: Order.

Hon Mr Pouliot: By way of conclusion, we're also very much aware, very cognizant, that as of yet they're not impossible times.

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon David S. Cooke (Government House Leader): I move that Mr Curling and Ms McLeod exchange places in order of precedence for private members' public business and that Mr Eves and Mr Tilson exchange places in order of precedence for private members' public business.

The Speaker (Hon David Warner): Is it the pleasure of the House that the motion carry? Carried.

PETITIONS

RETAIL STORE HOURS

Mr James J. Bradley (St Catharines): This petition is from a number of people in my constituency. It says the following:

"I, the undersigned, hereby register my opposition in the strongest of terms to Bill 38, which will eliminate Sunday from the definition of 'legal holiday' in the Retail Business Holidays Act.

"I believe in the need of keeping Sunday as a holiday for family time, quality of life and religious freedom. The elimination of such a day will be detrimental to the fabric of society in Ontario and cause increased hardship on many families.

"The amendments included in Bill 38, dated June 3, 1992, to delete all Sundays except Easter—51 per year—from the definition of 'legal holiday' and reclassify them as working days should be defeated."

I would like to indicate my support for this resolution and hope that the government will take it into consideration and follow its direction.

CATHOLIC HOSPITALS

Mr Noble Villeneuve (S-D-G & East Grenville): I too have a petition from about 300 residents of the Kemptonville Mountain South/Mountain North Gore area and it reads as follows:

"We, the undersigned, petition the Lieutenant Governor and the Legislature of Ontario of our concerns in regard to the effects which the widely publicized revision of the Public Health Act will have on our Catholic hospitals. According to the proposals presently tossed around for the revision, hospitals in the future will be run by elected boards. This will seriously affect the philosophy and management style with which Catholic hospitals, especially those owned and run by religious sisters, are operated. We want our hospitals to reflect our faith and our philosophy of life.

"We thank the Legislature of Ontario in advance for addressing this important matter."

I support this and have signed this petition and I submit it to the Clerk of the Legislature.

HIGHWAY NOISE BARRIERS

Mr Jim Wiseman (Durham West): I have a petition to the Ontario Legislature for a sound barrier on Highway 401 facing Wright Crescent. This petition is respectfully submitted to the Ontario Legislature, comprising 307 signatures of concerned residents on Wright Crescent, Reed Drive and Reading Street in the riding of Durham West. It is a call to action for the installation of a sound barrier for the section of Highway 401 facing the homes on Wright Crescent from Westney road easterly for approximately one kilometre on the north side.

I attach my signature to this petition.

SCHOOL FACILITIES

Mr Frank Miclash (Kenora): I have a petition to the Legislative Assembly of Ontario.

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To oppose the building of a second secondary high school in the Kenora school district."

I would like to make a correction on a petition that I presented yesterday regarding the same. Rather than 700 people, there were actually 1,060 signatures on that petition, and to date this petition totals 1,190 signatures.

1510

RETAIL STORE HOURS

Mr Noble Villeneuve (S-D-G & East Grenville): I have another petition, from the members of the Wesleyan Church in Winchester, Ontario, and it reads as follows:

"To the Ontario Legislature and the Lieutenant Governor re amendment of the Retail Business Holidays Act proposing wide-open Sunday shopping and the elimination of Sunday as a legal holiday:

"We, the undersigned, register our opposition in the strongest of terms to Bill 38, which will eliminate Sunday from the definition of 'legal holiday' in the Retail Business Holidays Act.

"We believe in the need of keeping Sunday as a holiday for family time, quality of life and religious freedom. The elimination of such a day will be detrimental to the fabric of society in Ontario and cause increased hardships on many families.

"The amendment included in Bill 38, dated June 3, 1992, to delete all Sundays except Easter—51 per year—from the definition of 'legal holiday' and reclassify them as working days should be defeated."

It was signed by 26 members of the Wesleyan Church in Winchester.

GAMBLING

Mr Dennis Drainville (Victoria-Haliburton): To the Legislative Assembly of Ontario:

"Whereas the New Democratic Party government has traditionally had a commitment to family life and quality of life for all the citizens of Ontario; and

"Whereas families are made more emotionally and economically vulnerable by the operation of various gaming and gambling ventures; and

"Whereas the New Democratic Party government has had a historical concern for the poor in society, who are particularly at risk each time the practice of gambling is expanded; and

"Whereas the New Democratic Party has, in the past, vociferously opposed the raising of moneys for the state through gambling; and

"Whereas the citizens of Ontario have not been consulted regarding the introduction of legalized gambling casinos, despite the fact that such a decision is a significant change of government policy and was never part of the mandate given to the government by the people of Ontario,

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government immediately cease all moves to establish gambling casinos by regulation and that appropriate legislation be introduced into the assembly, along with

a process which includes significant opportunities for public consultation and full public hearings as a means of allowing the citizens of Ontario to express themselves on this new and questionable initiative."

PENSION FUNDS

Mr Steven W. Mahoney (Mississauga West): I have a petition signed by 176 members of the staff at the Mississauga Hospital. It reads:

"We wish to state our objection to the proposal made by the Ontario Treasurer, Floyd Laughren, to use hospital pension moneys to invest and to serve as collateral for high-technology and high-risk investments."

It is signed. It says "the names and signatures of hospital employees objecting to the Ontario government's proposal to use our hospital pension money," and I affix my signature thereto.

VIOLENCE

Mr Ron Hansen (Lincoln): I have a petition here to the Legislative Assembly of Ontario:

"Whereas there are for sale serial killer trading cards and board games in Ontario,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To ban the sale of serial killer cards and board games in Ontario.

"We feel these items may encourage violence."

This is signed by over 100 constituents of mine, and I have affixed my name to the petition.

AMBULANCE SERVICES

Mrs Joan M. Fawcett (Northumberland): I have a petition to the Honourable Lieutenant Governor and the Legislative Assembly of Ontario.

"We, the following undersigned citizens of Northumberland county, beg leave to petition the Parliament of Ontario as follows:

"We, the undersigned, call on the Ontario government to maintain and improve our ambulance service. Ambulance services are vital to our community's health and our way of life. We can't afford a reduction in service."

I have signed this petition.

GASOLINE PRICES

Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings): I have a petition.

"To the Honourable Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"That a stop be done about the price-fixing of gasoline by the major oil companies. From May 1, 1992, to the present, the price of gas has been jumping up and down. The price goes up on a Thursday or Friday and drops down on a Tuesday or Wednesday, just to go back up again the next weekend.

"It has gone from 48 cents per litre to as high as 59 cents a litre. If our government is at all interested in saving operating costs as well as jobs in Ontario, they need to have this price-fixing stopped now."

I present this petition, signed by over 200 of my constituents.

STANDING ORDERS REFORM

Mr Murray J. Elston (Bruce): I hazard to guess at the number of people who have signed this petition, but in any case I will read it.

"To the Legislative Assembly of Ontario:

"Whereas Premier Rae of the province of Ontario has forced upon the Ontario Legislature a change in the rules governing the procedures to be followed in the House; and

"Whereas Premier Rae has removed from members of the opposition the ability to properly debate and discuss legislation and policy in the Legislature by limiting the length of time a member may speak to only 30 minutes; and

"Whereas Premier Rae, who once defended the democratic rights of the opposition and utilized the former rules to full advantage in his former capacity as leader of the official opposition, has now empowered his ministers to determine unilaterally the amount of time to be allocated to debate bills they initiate; and

"Whereas Premier Rae has reduced the number of days that the Legislative Assembly will be in session, thereby ensuring fewer question periods and less access for the news media to provincial cabinet ministers; and

"Whereas Premier Rae has diminished the role of the neutral, elected Speaker by removing from that person the power to determine the question of whether a debate has been sufficient on any matter before the House; and

"Whereas Premier Rae has concentrated power in the Office of the Premier and severely diminished the role of elected members of the Legislative Assembly, who are accountable to the people who elect them;

"We, the undersigned, call upon Premier Rae to withdraw the rules changes imposed upon the Legislature by his majority government and restore the rules of procedure in effect previous to June 22, 1992."

I now affix my signature to this petition.

GAMBLING

Mr Ted Arnott (Wellington): I have a petition that's signed by about 100 people from around the province, and it reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the NDP government is considering legalizing casinos and video lottery terminals in the province of Ontario; and

"Whereas there is great public concern about the negative impact that will result from the abovementioned implementations;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government stop looking to casinos and video lottery terminals as a 'quick-fix' solution to its fiscal problems and concentrate instead on eliminating wasteful government spending."

I have affixed my signature to this petition.

MUNICIPAL BOUNDARIES

Mrs Irene Mathysen (Middlesex): I have a petition from 46 residents of Newbury, Wardsville and the city of

London who petition the Legislature of Ontario, to set aside the arbitrator's report in connection with the London-Middlesex annexation, because it does not reflect the expressed wishes of the majority who participated in arbitration hearings, because it awards too extensive an annexation to the city of London and will jeopardize the viability of Middlesex county and our rural way of life.

I have signed my name to this petition.

Mr Ron Eddy (Brant-Haldimand): I have a petition to the Legislature of Ontario, which reads as follows:

"That the Legislature of Ontario reject the arbitrator's report for the greater London area in its entirety, condemn the arbitration process to resolve municipal boundary issues as being patently an undemocratic process and reject the recommendation of a massive annexation of land by the city of London."

It's signed by 18 residents of Middlesex county and I have affixed my signature to the petition.

RETAIL STORE HOURS

Mr Noble Villeneuve (S-D-G & East Grenville): Another petition pertaining to Sunday shopping, addressed to the Legislative Assembly and the Lieutenant Governor of the province of Ontario "re amendment of the Retail Business Holidays Act proposing wide-open Sunday shopping and the elimination of Sunday as a legal holiday:

"We, the undersigned, hereby register opposition in the strongest of terms to Bill 38, which will eliminate Sunday from the definition of a legal holiday in the Retail Business Holidays Act.

"We believe in the need for keeping Sunday as a holiday for family time, quality of life and religious freedom. The elimination of such a day will be detrimental to the fabric of society in Ontario and cause increased hardships on many families.

"The amendment included in Bill 38, dated June 3, 1992, to delete all Sundays except Easter—51 of them per year—from the definition of a legal holiday and reclassify them as working days should be defeated."

This is signed by 24 members of St Andrew's Presbyterian Church, Spencerville, Ontario, and I have signed the petition.

ENVIRONMENTAL TAX

Mr Drummond White (Durham Centre): I have a petition here, signed by many residents in my riding, many of my constituents, such as Seth Caskey and Claudette Pickett, and they state that they are not in favour of the environmental levy tax and they're against any levy to be put on soda cans. These cans are 100% recyclable and are currently being recycled at a very high rate. To impose any further tax on the can industry will cripple the canning industry and send jobs south of the border.

1520

STANDING ORDERS REFORM

Mr Frank Miclash (Kenora): I have a petition to the Legislative Assembly of Ontario:

"Whereas Premier Rae of the province of Ontario has forced upon the Ontario Legislature a change in the rules governing the procedures to be followed in the House; and

"Whereas Premier Rae has removed from members of the opposition the ability to properly debate and discuss legislation and policy in the Legislature by limiting the length of time a member may speak to only 30 minutes; and

"Whereas Premier Rae, who once defended the democratic rights of the opposition and utilized the former rules to full advantage in his former capacity as leader of the official opposition, has now empowered his ministers to determine unilaterally the amount of time to be allocated to debate bills they initiate; and

"Whereas Premier Rae has reduced the number of days that the Legislative Assembly will be in session, thereby ensuring fewer question periods and less access for the news media to provincial cabinet ministers; and

"Whereas Premier Rae has diminished the role of the neutral, elected Speaker by removing from that person the power to determine the question of whether a debate has been sufficient on any matter before the House; and

"Whereas Premier Rae has concentrated power in the Office of the Premier and severely diminished the role of elected members of the Legislative Assembly, who are accountable to the people who elect them;

"We, the undersigned, call upon Premier Rae to withdraw the rules changes imposed upon the Legislature by his majority government and restore the rules of procedure in effect previous to June 22, 1992."

That is signed by a number of residents of the province of Ontario.

INTRODUCTION OF BILLS

LABOUR STATUTE LAW AMENDMENT ACT, 1992 LOI DE 1992 MODIFIANT DES LOIS CONCERNANT LE TRAVAIL

On motion by Mr Owens, the following bill was given first reading:

Bill 82, an Act to amend the Employment Standards Act and the Workers Compensation Act / Loi modifiant la Loi sur les normes d'emploi et la Loi sur les accidents du travail

ORDERS OF THE DAY

INSURANCE STATUTE LAW AMENDMENT ACT, 1992 LOI DE 1992 MODIFIANT LES LOIS CONCERNANT LES ASSURANCES

Resuming the adjourned debate on the motion for second reading of Bill 164, An Act to amend the Insurance Act and certain other Acts in respect of Automobile Insurance and other Insurance matters / Loi modifiant la Loi sur les assurances et certaines autres lois en ce qui concerne l'assurance-automobile et d'autres questions d'assurance

The Deputy Speaker (Mr Gilles E. Morin): The member for Essex South.

Interjection.

Mr Remo Mancini (Essex South): Does the member for Cambridge want to make a contribution at this time? Later on. Okay, I'm sure you will.

Yesterday afternoon, I took some time—

Interjection: Remo, who's their PA?

Mr Mancini: Who is the parliamentary assistant to the Minister of Financial Institutions? Are we allowed to know?

Interjection: He has to be here.

Mr Mancini: Is the parliamentary assistant here? We know the minister is unfortunately unable to join us.

Mr Tony Ruprecht (Parkdale): Somebody should be here.

Mr Mancini: The parliamentary assistant is here. We thank him for his attendance.

Yesterday afternoon, I took a few moments to inform the Legislature and to remind the Legislature and to inform the public how it is that we came to be debating Bill 164. I reminded the Legislature and the general public who were watching of the many promises that had been made by the socialist NDP government. I reminded us all of how they unceremoniously broke that promise, how that broken promise caused turmoil within the New Democratic Party caucus itself and within the membership of the New Democratic Party, and how it more or less forced the minister's hand, to come up with some piece of legislation that in fact changes the present Ontario motorist protection plan so that they can go around the province and at least be able to say, "We changed the legislation that had been put in place," whether or not the legislation is being changed to the benefit of the people, whether or not these changes reflect in any way the promises that the socialist New Democratic Party made during August and September of 1990 and for at least two decades prior to that.

Well, that's not important at all because we heard from the minister himself yesterday afternoon. When questioned after his few comments to the Legislature, he basically told us and he told the listening public that it was all one big, happy mistake: "We thought we could nationalize the industry. We had no idea that it would cost upwards of \$2 billion, anywhere from \$1.5 billion to \$2 billion, to nationalize the industry and to start a new crown corporation. We had no idea that 6,000 full-time jobs would be lost and 8,000 part-time jobs would be lost. We just made these promises because it was good socialist rhetoric, it helped us win votes, and it helped us discredit the existing legislation that had been passed"—with full debate, I remind all the honourable members—"so we just made these promises at the time and it was just one big, happy mistake. We're here to say that we're sorry, but all of those promises we made to you people about government-owned insurance and lower premiums for your car insurance, it was all just one big, happy mistake and we hope you don't hold it against us, but we really can't be held responsible." That basically was what we were told yesterday.

I'm sorry that my comments were interrupted by the adjournment of the House yesterday at 6 pm. I would have wished to make all of my comments in one period of time, but that was not possible. I promised yesterday that I

would talk about the situation as it exists in the province of British Columbia and, if I get time, also the province of Manitoba, because there, past NDP governments have in fact nationalized the insurance industry, have put in place government-owned insurance. I think it's important for the people of Ontario and for my colleagues in the Legislature to know exactly what that has meant as far as rate increases are concerned to the premiums the ordinary driver in the province of British Columbia has had to pay. In order to be fair, I want to go back to 1979. I want to give a good spectrum of what the rate increases have been like.

In 1979, the rate increases averaged 10% to 12% in British Columbia by the government-owned crown corporation. In 1980 it was a further 10%. In 1981 it was 38%. In 1982 it was 20%. In 1983 it was 6%; 6% again in 1984. It was 2% in 1985. I'd bet \$100 that was an election year. In 1987, 4.5%; in 1988, a further 22%; in 1989, 8.5%; in 1990, 4.8%. And in 1991, 4.5% and the GST. That is what the government-owned crown corporation has been able to provide the drivers of the province of British Columbia.

Mr Mike Farnan (Cambridge): And it's still cheaper than Ontario.

1530

Mr Mancini: The former minister and the member for Cambridge says, "And still cheaper than Ontario." I hope it would be cheaper than Ontario because anyone who has had a chance to look at any of the information revolving around insurance knows that in a province where there are 10 million people you would have far more accidents and far more people needing benefits than in a province with maybe 25% of that population. And in a region as densely populated as Metro Toronto, with nearly three million people, one would expect a lot of car accidents and a lot of claims on that pool of money.

So the honourable member says it's cheaper in British Columbia, but that's all he has to say. He doesn't want to give an explanation. The 38% increase in 1981 was fine. The 20% increase in 1982 was fine. The 22% increase in 1988 was fine. All's well in the socialist Valhalla of British Columbia.

You know, that's not what those people across the floor told us. They didn't tell us rates would go up; they told us rates would go down. You and your colleagues—and you were here at the time and you cannot excuse yourself—stood here; told us rates would go down. You'd buy the industry; you'd run the industry—rates would go down. Now you say rate increases are all right; it doesn't matter what they are. Well, the honourable member will have his chance.

I want to talk to the general public who are watching. I want to say to them that in addition to these outrageous increases the people in British Columbia were subjected to, the crown corporation has undergone two major labour disruptions, one of three months' duration and one of five months' duration, leading to serious reductions in service to the consumers.

You buy insurance from the government-owned crown corporation in the province of British Columbia, Saskatchewan or Manitoba. The employees of the crown corporation

decide it's necessary, for whatever reasons, to have a strike and therefore they no longer provide services to the customers who have paid already in advance for that service. Unfortunately, as is sometimes the case, a vehicle accident occurs. What is the customer to do? They can't go to the crown corporation for service. They can't threaten to not pay any more of their premiums and go to a different company, because now there's a monopoly. They can't get anyone to look after their claims. They can't take their car to the body shop to get it fixed because they don't know who's going to pay for it. So what are the customers left to do during a five-month strike? Maybe during the course of these debates the socialist NDP members will have answers to some of these questions.

Mr Chris Stockwell (Etobicoke West): On a point of order, Mr Speaker: Should the minister or parliamentary assistant not be present during this discussion and debate?

The Deputy Speaker: He was here a minute ago. He's right here, fine. The member for Essex South.

Mr Mancini: Mr Speaker, we appreciate the attendance of the minister and/or his parliamentary assistant if they wish to attend. If they don't wish to attend, we're going to carry on just the same.

Government-owned insurance leads to political tampering and we had an excellent example of this in the province of Manitoba where they call their insurance corporation the Autopac. I'm told—and there's documentation here to prove it—that the NDP government concealed losses incurred by the Autopac until after a provincial election.

Mr Robert V. Callahan (Brampton South): They didn't do that. Did they really? That's outrageous.

Mr Mancini: They did, they concealed the losses. There was gross political interference, and after, they needed a 25% increase to in fact make up for the loss they had suffered. If memory serves me correctly, and I'm sure the NDP members will in fact recall this, prior to one election in Manitoba former Premier Howard Pawley had his crown corporation announce a 28% increase. He then rolled it back, but he got defeated anyway. That is another fundamental reason why giving the monopoly of car insurance to this government or any other government is wrong.

Car insurance premiums should be based on the amount of money needed to pay consumers benefits they deserve, to run the corporation, to make a profit, to pay the employees and to create a pool of capital for reinvestment in this province which we so desperately need. Every day in this chamber over the past 24 months that we've actually been sitting here we have heard from members on all sides of the House as to the economic devastation that is occurring here in this great province under the leadership, I may add, of the socialist NDP government.

Most of us know now that pools of capital are absolutely necessary to restimulate growth in this great province to reinvest in our future and in the future of every small and large community in this great province. Without pools of capital it cannot be done, and without profit it cannot be done.

So you see, Mr Speaker, that when I point out the fact that there's been political interference in these provinces

that have government-owned crown corporations providing insurance, I point that out for a very valuable reason. It's obvious that we never want to put ourselves in a position where government's traditional role of helping and protecting the consumer becomes subservient to a political party's desire to get re-elected. That is exactly what has happened and is exactly what would happen here in Ontario.

Herbert G. Grubel, professor of economics at Simon Fraser University in Vancouver, has reviewed the operations of the insurance crown corporation of British Columbia and has outlined as part of his study the subsidy and tax loss effects of public monopolies. He documents the following hidden subsidies and other similar benefits which have accrued to the crown corporation, and that goes directly to the heart of the interjection made by the member for Cambridge when he said that even though these increases may have been high and outlandish, the rates were still lower than in the province of Ontario. That may be true if we do not take into consideration the hidden subsidies given to the crown corporation.

Professor Grubel has pointed out that the receipts of sums collected as traffic fines in Ontario and in most provinces which go into general revenues, thus reducing tax rates, are used in British Columbia to support the crown corporation.

1540

In 1976 a loan of \$181.5 million was given to the crown corporation by the government of British Columbia, I say to my colleague the member for Cambridge, to eliminate accumulated past losses. So out of the general treasury, out of tax dollars paid by people who drove or who did not drive, out of tax dollars paid by people young and old, \$181 million was taken—in 1976 dollars, I remind my colleague, not 1992 dollars. We can imagine that could be easily worth \$500 million today, maybe \$750 million. They took the money from the taxpayers, gave it to the crown corporation and said, "Here, wipe out your debts." Does the member for Cambridge still think the rates are cheaper in British Columbia?

On top of all of that, the crown corporation in the province of British Columbia fails to meet government requirements for private insurance company reserves, so they're under less legislative burden. "The risk absorbed by the surplus in private industry is, in effect, borne by the government of British Columbia," Professor Grubel states.

"If the ICBC"—that's the crown corporation in British Columbia—"were to be privatized as of 1985," not 1992, but as of 1985, "an additional \$11 million would have to be raised in order to meet the reserve requirements, thus necessitating a premium increase to cover that amount of shortfall."

So I say to my colleague from Cambridge, does he still believe that rates are cheaper in British Columbia than Ontario? It's obvious that the true social costs of operating the system have been kept under wraps.

Now this crown corporation in British Columbia has another advantage: There are no premium taxes, which are payable in all other provinces in Canada. The facts are, you buy an insurance policy here in the province of

Ontario and I believe it's a 3% premium tax. It's right in the bill.

The former Liberal government gave the driving public a break and had eliminated that 3% premium tax—had eliminated, I stress, that 3% premium tax. The socialists come into power and they put the premium tax back on and then said, "Well, it's the industry that's raising your premiums," while trying to keep it a big secret that they put the tax back on.

In British Columbia they don't have that premium tax. So I say to my friend the member for Cambridge, are the rates still cheaper in British Columbia now, with all this data that you're listening to?

There's one other difference between the private industry in Ontario and some of the other provinces as compared to the industry in British Columbia, in Manitoba and in Saskatchewan: They don't pay any federal income tax. They don't pay anything. No federal income tax.

We have the experience of other provinces. We have experts in the field. When my colleagues across the floor were making these promises, one either has to believe they knew all these facts and deliberately withheld that information from the general public during their extensive propaganda campaign or it leads one to believe they all chose not to take arithmetic when they were going through school, the whole gang of them.

I'm standing here looking at the member for St Andrew-St Patrick, a colleague of ours in this Legislature, and I know she took arithmetic. As a matter of fact, she probably taught arithmetic the old-fashioned way when one and one equalled two. I know that somebody, I'm not sure who, in the New Democratic Party must have kept this information away from her, because she could not have known all of this and still met the general public and told them, as the member for Cambridge was wont to do, that insurance rates were cheaper in British Columbia than in Ontario, and just by chance forgot to mention all the hidden subsidies. I want to give her the benefit of the doubt. I know that information was kept away from her, because I know she's an honourable member and she would not deliberately do that.

Now that they have these facts, I think they might all join the Minister of Financial Institutions in his famous words, "Well, it was all just one happy mistake." There was nothing purposeful in it. They weren't trying to win votes by telling the general public that a government-owned insurance company, a crown corporation, would provide better service at less cost. They were not trying to fool the public.

Mr Stockwell: Sure they were.

Mr Mancini: My colleague from Etobicoke says, "Sure they were." I'm willing to sit and listen to an argument as to why they were, but at the present time, I just can't believe that good people like the member for St Andrew-St Patrick would say those things, having all the facts in front of them. I just can't believe it.

We're at the crossroads here. We're at Bill 164. We know why Bill 164 has been introduced: because of the turmoil within the New Democratic Party caucus, because

of the turmoil within the membership of the New Democratic Party.

I was just reading some old clippings.

Mr Murray J. Elston (Bruce): Oh, no.

Mr Mancini: Yes, I was. Not really old, but in the calendar year 1992. There's a story here from the Hamilton Spectator, and I quote, because I certainly couldn't write headlines like this. There's no way I could write headlines like this. It says, "Ex-Choirboy's Tune Guaranteed to Set Rae's Teeth on Edge." They're referring to Peter Kormos, the member for Welland-Thorold, who I understand used to be a choirboy.

Mr Ruprecht: What church was that?

Mr Mancini: I'm not sure what church, but he used to be a choirboy. He's telling the truth on the Premier, the cabinet and all the New Democratic Party members who are elected here. He's telling the truth. He's going out and talking about some of his colleagues.

He says of the minister, for example—I would not say this of the minister, but Peter Kormos, the member for Welland-Thorold, said, "He's learned real quick that if he didn't sing from the right hymn book he wouldn't get to stay in the choir," meaning the cabinet. So it's better to sing from the socialist hymn book whether it's right or wrong, it's better to do that than tell the truth, because you may be asked to exit the cabinet.

1550

Mr Callahan: They wouldn't do that, would they?

Mr Mancini: That's what Peter Kormos says. I wouldn't say it, but that's what Peter Kormos says.

It says here, in the Hamilton Spectator, February 10, 1992, "Kormos Keeps the Faith." You see, Peter Kormos is being honest about it. He knows that government-owned crown insurance wouldn't cost any less. He knows it wouldn't work any better. He knows it's not, generally speaking, in the interests of the people. But it's a socialist idea he believes in. He believes in that socialist economic agenda that you people espoused during the election campaign to be elected. He believed in that. I would not say this about Peter Kormos, but it says here, "Peter Kormos is bitter and disillusioned."

Mr Callahan: Oh, no.

Mr Mancini: That's what it says: He's bitter and he's disillusioned.

I've been spending part of the afternoon throwing figures around and, lest my colleagues opposite believe that I've made these up, I want to explain to them and show them where I've got this information.

The Minister of Financial Institutions, Mr Charlton, has the opportunity to be invited to speak on a number of occasions, and recently Mr Charlton, the Minister of Financial Institutions for the NDP government, was invited to speak—on a Sunday, I may add—at the general meeting of the Durham East NPD riding association. I want to tell you what Mr Charlton was quoted as saying, because it's important, highly, highly important.

Interjection.

Mr Mancini: I say to the Minister of Labour, I'll be at that point very soon.

Mr Charlton said, "The economy is getting worse, and there seems to be no relief in sight."

Mr Stockwell: There's insight.

Mr Mancini: And there's a person with optimism for the future, I might add.

Mr Charlton went on to say, "The public auto insurance plan will cost \$1.4 billion to implement." That was the low expectation. "We had to consider the impact of spending that kind of money when so many other things needed to be done." Mr Charlton further stated, "But we had to look at the cost of starting the program up, the loss of jobs to start it—6,000 full-time jobs—and the fact that the program would have totally dominated the government's agenda for the next two years."

Those are quotes from the Minister of Financial Institutions who yesterday said: "Well, it was all one big, happy mistake. Please forgive us." One big happy mistake. And after they've done all this backtracking, after they've revealed themselves to the public in a way that I would particularly find embarrassing, then they start threatening the industry.

St Catharines Standard, March 27, 1992: "NDP Issues Warning to Insurance Industry." Boy, they're really pointing their fingers at the insurance industry.

Mr Stockwell: What did they say?

Mr Mancini: "While Premier Bob Rae was widely quoted last September as saying 'The NDP will not revisit the issue of public auto insurance,' Charlton, the Minister of Financial Institutions, said yesterday: 'The Premier was only referring to the current term. Nothing is ever ruled out in perpetuity. Public auto insurance remains close to my heart in many respects,' said Mr Charlton."

Let's understand this. We cannot nationalize the industry today because it may cost them \$1.5 billion to \$2 billion, money we don't have. We cannot do it today because it's going to cost 6,000 full-time jobs and 8,000 part-time jobs. But the socialist idea is so close to Mr Charlton's heart that some day in the future he would be willing to rob the taxpayers of \$2 billion and flush 14,000 jobs down the tube because it's close to his heart.

To all who are listening, that should be warning enough in itself that the NDP will always put its socialist ideology ahead of the people and ahead of anything that seems practical.

Interjections.

Mr Mancini: I want all the members to hear the whole story. It's important that we hear the whole story, Mr Speaker, if you will contain my colleagues in the Legislature only for a moment.

I was curious to find out why this government was so anxious, after having backed down on a major plank that got it elected and said, "No, we're not going to do it," to change the present Ontario motorist protection plan. I assumed there must be a lot of people unhappy with the plan. I assumed wrong.

I have a document dated July 8, 1992, three or four months old. It's on the letterhead of the Insight Canada

Research firm, which is a well-known public opinion polling firm used by many newspapers in our province and in some instances used by the government, a very highly reputable firm, and it took a survey. It was asked to take a survey, and I want to give you the results of the survey.

Ontario drivers were asked whether or not they were satisfied with their car insurance policies. Eight in 10 Ontarians, 81%, said they were either very satisfied or somewhat satisfied. So I'm saying to myself, if there's no general outcry from the public to change the Ontario motorist protection plan, then why are they changing it? It's obvious. They're changing it because they need that political crutch to lean on, to say, "We changed the legislation that the Liberals had introduced," to save some political face. That's the only reason we have Bill 164 in front of us today. It has nothing to do with the driving public. It has nothing to do with whether or not they want to improve the system. They want to save political face.

Mr Speaker, I want to tell you and the members of the assembly and the watching public why I am opposed to Bill 164, why I have asked my colleagues in the official opposition to vote against Bill 164, and we intend to do so. Bill 164 reinforces the anti-business attitude that is in place and that has been in place in this province since September 1990, an anti-business attitude which now permeates the whole government, an anti-business attitude which is forcing honest businesses to leave this province and is discouraging investment from outside of this province from finding a home here.

Bill 164 has put in place what the government calls withdrawal provisions. Is there anybody in this chamber who at one time or another ran a business or worked in some private business? I'm sure the answer is yes. How would you feel if the government of the day told you that if you decide, for whatever reason, to cease doing business in the province of Ontario, you would have to pay a fee and you would not be allowed to come back for three years, and it didn't care what the reason was?

1600

Under Bill 164, insurers seeking to leave Ontario or deciding to discontinue operation could face heavy penalties. Under the proposed bill, insurers must first apply to the Ontario Insurance Commission, run by the NDP, for permission to withdraw from classes of business. If the commission grants permission, a fee will be charged.

If passed, Bill 164 will ban an insurer and its subsidiaries and affiliates from re-entering the market for three years. Not only does this provision contravene the freedom of choice which we hold dear for anyone to remain in business, in this instance insurance companies, but it establishes, in my view, a dangerous precedent and sends a message to business that if you put your money in Ontario, if you put your capital in Ontario, it could be trapped in Ontario; confiscation of capital.

I hopefully assume that this will be proven to be unconstitutional, because no one in his right mind is going to invest in this province if these people pass a precedent-setting law such as the one that I've just described which exists in Bill 164, which says, "You cannot withdraw from business unless we say so, and when we say so, we're

going to charge you a fee, but we don't know what the fee is going to be." It could be \$100 million; it could be 15 cents. Why would you put your money in this province when it could be trapped and when it could be confiscated from you? That in itself, this provision alone in Bill 164, is reason enough to ask all of my colleagues and any right-thinking member to vote against Bill 164, but there's more. There's a lot more.

Mr Charles Harnick (Willowdale): Remo, does that mean you're voting against the—

Mr Mancini: The Tories will have their chance to make their case.

The Acting Speaker (Mr Dennis Drainville): Order.

Mr Mancini: Regulatory powers: Bill 164—

Mr Harnick: We were a little worried; you were waffling.

Mr Mancini: The honourable member—

The Acting Speaker: Please be seated. As the honourable members know, the honourable member for Essex South has the floor. There has been a lot of discussion, a lot of interjection. If we could have a little bit of quiet and allow the member the time that he needs to make his case, I think that would be worthwhile.

Mr Mancini: I say to the honourable member for Willowdale, who has proven to be one of the better members in the chamber, that it's always good to have some sense of history before you decide on an important matter. I hope that during the last hour my honourable friend did get some sense of the importance of the history surrounding this piece of legislation.

Bill 164 grants tremendous power to the cabinet. That should be scary to anybody after watching these people in operation. Under the terms of this bill, cabinet would be allowed to prescribe a uniform, non-discriminatory risk classification system which automobile insurers must use—not "can use" or "should use" but "must use." Cabinet would be allowed to prescribe rating factors and establish various benefits and conditions on which they are payable, as well as optional benefits insurers must offer—not "can offer" or "should offer" but "must offer."

These expanded powers of regulation could be enacted immediately, without notice or consultation and without any public debate. Policy which affects millions of Ontarians should not be enacted behind the closed doors of the cabinet room, in secrecy, without public debate. That in itself is enough reason to vote against Bill 164.

The draft regulations regarding changes to the accident benefits schedule are also of great concern to myself and to my colleagues in the Liberal caucus. The draft regulations accompanying Bill 164 regarding changes to the accident benefits schedule outline a benefits scheme which lacks control, is unworkable and in my view undeliverable. They've made it so complicated that it's going to be an enormous task for the insurance companies just to deliver the product and the service they've been able to deliver over these many years in a very simple and straightforward manner. Claimants and insurers will have great difficulty in interpreting and implementing these benefits due

to its complexity, but it's typical. Give an issue or a piece of legislation to the NDP socialist government and it'll make it so complicated, so bureaucratic, so tied up in red tape no one will be able to understand what they're supposed to do.

That is not a benefit to the driving public. That in itself, that alone, would be enough for me to advise my colleagues to vote against Bill 164.

Restoring the right to sue: I believe it's more important for people to have the right to sue for economic loss. I supported my party's position when the right to sue for pain and suffering was eliminated. I thought that was a fair exchange in keeping rates stable and at a price most people could afford. The New Democratic Party has decided to take away the right to sue for economic losses and it's instituted the right to sue for pain and suffering, but there's a catch. There's a \$15,000 deductible.

Let's take a case in point. You or I, sir, are driving down University Avenue here in Toronto and unfortunately we're involved in an automobile accident. Our knee or shoulder is slightly injured. We develop some kind of chronic pain and it lasts for a period of time. We now have to decide for ourselves whether or not we should sue.

How do we do this? First of all, we have to believe in our own minds and be able to prove to a judge that our pain and suffering is worth more than \$15,000. You have to go out and hire a lawyer. That costs money. You've got to give a little retainer in front—that's how it works—and we have to add that cost to the \$15,000.

So we end up in court, and we win in court. We're fortunate in that we're able to prove that the pain and suffering in our shoulder or elbow or knee was in fact of some consequence. The judge says: "Fantastic. I award the individual in front of me \$19,000 for pain and suffering. However," the judge says, "you must be reminded that there's a \$15,000 deductible." Now it's \$4,000, and because it costs at least \$2,000 a day to have a lawyer in court with you, just for that day, you get a bill—because this has taken a year or 18 months to accomplish, meetings, letters, negotiations etc—and the bill, if you're lucky, is under \$4,000. If you're unlucky, it's over \$4,000.

So what have we given to the people? What have we given them? Very little, I say. Very little. We've asked them to lay a bet, to gamble whether or not they can prove in court that their injury is worth at least \$15,000 plus the fees and expenses incurred by the lawyer. They've eliminated the right to sue for economic loss which was given to the driving public by the previous Liberal government.

1610

Let me give you an example of why it was more important to have the economic loss provision and the right to sue there than in the example I've just enunciated. John is a professional truck driver who was injured in a motor vehicle accident. He sustains a head injury which results, among other things, in the loss of vision in one eye. As a result, he loses his operator's licence and is no longer able to work as a truck driver. He is married and has three children to support. He is only 35 years old.

Anyone, under the present system introduced by the Liberal government, who sustained a serious and permanent

injury, which this is, would pierce the threshold and would be permitted to sue for lost income over and above the standard weekly benefits that would be paid to John through his insurance policy. Under the NDP legislation, Bill 164, John would no longer have the right to sue for loss of future earnings. His benefits would be capped as stated in the legislation. He might be able to sue for pain and suffering if he could prove that it was greater than \$15,000 worth, and despite anything he might receive for pain and suffering, he would never, ever be able to make up the difference in his lost income or in his potential income.

Linda is an electrician. As a result of a car accident, she sustains a spinal cord injury which leaves one hand paralysed. The injury is permanent. She's a single mother. Under the present legislation passed by the Liberal government, Linda could have sued for economic loss resulting from her accident, and if it was determined to be serious and permanent, which a paralysed arm would be, she would pierce the threshold and she would be compensated for her loss of career and future earnings. Under the legislation put forward by the New Democratic Party, Linda would not be able to sue for future lost earnings. She would receive for life the benefits as stated in the bill. She might be able to pierce the \$15,000 deductible, she might not, but even if she did, court precedents in this area seem to be \$200,000 or less, which is a lot less than she would have received—

Mr Harnick: What?

Mr Mancini: Yes, there have been some court judgments, and the highest that we've been able to find is upwards of \$240,000, if the honourable member would check the facts.

Mr Harnick: Less their deductible of—

Mr Mancini: If the honourable member will check the facts. So in my view, having the right to sue for lost income is a far greater benefit than what the NDP has given in return for taking that right away. That in itself is enough to vote against Bill 164.

There are two other reasons as to why I would not support this bill. I have time to comment on only one of them, and that is road safety. Bill 164 makes no effort and no mention to promote road safety. The materials distributed when Bill 164 was tabled dealt extensively with the creation of a road safety agency, but the bill itself contains no road safety component.

I'm happy to say that yesterday the Minister of Transportation once again made some murmurings about the creation of this road safety agency, and I believe that's an excellent way of keeping people safe, of teaching people how to drive in a safe manner and keeping premiums as low as possible.

There are two minutes left in the time that I have to speak to the members of the Legislature and to the watching public. My time as a legislator, as the critic for the official opposition, has been limited to 90 minutes because the New Democratic Party thought it was okay to have as much time as necessary to speak when it was in opposition, but it's not correct for any other opposition to

have all the time needed now that the shoe is on the other foot.

Mr Callahan: They've muzzled us.

Mr Mancini: They've now muzzled my colleagues in the Liberal caucus, who will only get 30 minutes each. On top of that, sir, the minister at any time can indicate that he's heard enough, whether or not my colleagues have had their 30 minutes, and say that as far as he's concerned the debates are over and let's get on with the passage of the bill.

Mr Callahan: Dictatorial.

Mr Mancini: Very dictatorial, I may add.

So that's fine. You've passed those rule changes. Everybody has supported you on your side of the House in taking our privileges away, in denying us the right to speak for our constituents, in denying us the right to put the other side of the opinion, the other side of the coin. You've denied us those rights. I ask the minister—

Interjections.

Mr Mancini: If I can just have my colleagues' attention, I ask the minister the following: to give the committee that is going to oversee the clause-by-clause review of this bill an adequate and appropriate amount of time, and to allow the committee to hear people from all over the province, even if it means that we have to travel to Windsor, to Kingston, to Ottawa, to Sudbury, to Thunder Bay and to other places I've not mentioned. We will not accept, nor should the public accept, a limited, time-oriented, geographically oriented clause-by-clause review of this bill. That's the very least that you could give to the public of Ontario.

The Acting Speaker: Questions and/or comments?

Mr Harnick: It's rather interesting to hear the Liberals and the NDP deciding who can take more rights away from innocent accident victims faster. I think this is fantastic. I listened to the Minister of Financial Institutions, who brags that, boy, three times as many people are going to be able to sue under our scheme as under the Liberals' scheme. We've seen what the case law has done, and about 1% of innocent accident victims are entitled to bring an action to claim for their damages now. The NDP has just opened up a whole new vista. They're going to expand that by three times, so all of a sudden we're going to have a whole 3% who are going to get their rights back, with a \$15,000 deductible and no economic loss. Isn't that fantastic? The NDP is only eliminating 97%, and the Liberals eliminated 99%.

I think everybody should just stand up and cheer for both of you parties, because you have systematically wiped out the rights of more innocent accident victims in two or three short years than was ever imaginable. To boot, you both are bringing in or are proposing or have brought in a no-fault plan that puts innocent accident victims at the behest of insurance companies. They go to the Ontario Automobile Insurance Board unrepresented because they can't afford a lawyer after they've been cut off from these enhanced benefits that you so graciously provided to them. What happens when they go to that insurance board? The

insurance company shows up with a Bay Street lawyer who proceeds to kick the crap out of every innocent accident victim who goes before it, and you people, both the Liberals and the NDP, have the unmitigated gall to stand up and say, "Boy, we're doing it better than the other guy."

I think the whole bunch of you should be ashamed. You should all be ashamed, because what you've done to innocent accident victims, what you socialists propose to do, is absolutely, positively pathetic. You should be ashamed.

The Acting Speaker: Further questions and/or comments?

1620

Mr Peter Kormos (Welland-Thorold): Of course I listened carefully to the member for Essex South and I say that—you guys just don't get it yet, do you? The reason why Bill 164 is bad is because Bill 68, the threshold no-fault system that the last government imposed on drivers and innocent victims here in the province of Ontario, is as bad.

Bill 164, I tell you, is the logical extension of what David Peterson and the insurance industry did to victims in the province of Ontario. Bill 68 was the knee-jerk response to the, oh, rather unplanned utterance of a Premier-to-be days before an election when he said—remember David Peterson said he had a very specific plan to reduce auto insurance premiums. Well, he didn't have the slightest idea of what he was talking about. He knew that auto insurance was important to a whole lot of voters and he knew he'd better say something about it, so he set his little mandarins and his bureaucrats to work and they came up with half a dozen versions of various dogs' breakfasts.

Kruger, of the Ontario Automobile Insurance Board, said no way to threshold no-fault, just like Osborne had in 1987. Now mind you, that's the same Osborne inquiry at which the New Democratic Party made submissions, authored by Bob Rae and Mel Swart, in which the position of the New Democratic Party was clearly articulated, that we need a strong no-fault component. But as Bob Rae and Mel Swart told Osborne in 1987, and as New Democrats have believed for so long, we can never trample on or detract from the right of innocent accident victims to be fully compensated.

That's what Bob Rae and Mel Swart said in 1987. That's what they said in 1988 when they were in this Legislature. That's what the New Democratic Party said in opposition to a horrible, dangerous piece of legislation, Bill 68. I tell you, Bill 164 finishes what David Peterson didn't even have the gall to do to innocent victims in the province of Ontario.

The Acting Speaker: Questions and/or comments?

Mr Callahan: After having heard that tirade from the most recent speaker, I'm not sure how he's voting, but I'd like to correct something.

I understand there was a comment made that the member for Welland-Thorold voted against his party in connection with the rules, those draconian rules that in fact prevent us from debating this as fully and fairly as that member did. I find it passing strange that the member for

Welland-Thorold, who is the white knight who filibustered on about how he was going to return to the people that type of right to sue—and he's now leaving the chamber; he can't listen to it, I guess—would then vote in favour of his government's restrictive rules that in fact have muzzled this chamber, muzzled the opportunity of members to debate adequately on behalf of their constituents. Having done that, he has set the course for the Premier and the minister to bring into play this bill that is neither fish nor fowl and is a total shot in the face to the people of Ontario who believe the New Democratic Party and its Agenda for People about public auto insurance. They were going to bring in this public auto insurance, this panacea of socialism, and what do we see? We see a total turnaround.

I'm going to be watching very closely as the member for Welland-Thorold speaks, because I have concerns. He talks a great thing in the press, he talks a great idea when he's out on the hustings and yet he voted for these rules that in fact restrict us from debating issues. It's not just this bill but future bills. So I'm going to be watching very closely. I hope Mel Swart is and I hope the people of his riding are watching this flip-flop that may take place.

The Acting Speaker: Further questions and/or comments?

Mr David Tilson (Dufferin-Peel): The member for Essex South certainly cited a number of valid criticisms with respect to the bill. However, I can't stand here in this chamber and listen to them comment as to how wonderful their Bill 68 was.

The very first court decision has now come forward, the Meyer decision, as a result of a motor vehicle accident on June 29, 1990, and that court decision has established that the Liberal plan will not work. It simply won't work with respect to serious injuries.

Mr and Mrs Meyer were involved in a very serious accident and, as we all know, under the no-fault legislation, personal injury actions arising out of motor vehicle collisions are prohibited, except where the injured person has died or sustained permanent, serious disfigurement or permanent, serious impairment of an important bodily function caused by continuing injury which is physical in nature. The Meyer case has decided that and I will be speaking to that in my remarks. But clearly, that decision has established once and for all that the Liberals were wrong. They were as wrong as the NDP is in its bill. In fact, the NDP is worse than the Liberals. I will be reserving my comments at that time.

I simply can't stand here and listen to the member for Essex South boast as to how wonderful the Liberal plan is. These people were very seriously injured and they've lost their decision and they're going to get absolutely nothing because of a terrible Liberal plan that is insensitive to the injuries that people are sustaining in motor vehicle accidents around this province.

The Acting Speaker: The honourable member for Essex South as two minutes to respond.

Mr Mancini: I've listened to the honourable members and I appreciate the points they have made. At this time I don't have anything further to add. I think I've very clearly

enunciated the history of the car insurance saga in this province over the last five years. I think I've enunciated clearly why I and my party cannot support Bill 164. I think I've enunciated clearly why the present legislation is working and why it's superior to what has been put forward, and I'll leave it to the general public, who have been watching and listening and who are concerned, to make up their own minds.

The Acting Speaker: Further debate?

Mr Tilson: It's a pleasure to rise today and deal with the legislation that has been introduced by the New Democratic government, Bill 164, which is the Insurance Statute Law Amendment Act. This bill was first introduced December 5, 1991. It establishes a principle which I think we were all rather shocked to hear, a no-fault principle, which this party, when it was running for office and when it was in opposition, said it would never put forward.

Mr Kormos, the member for Welland-Thorold, under the direction of his caucus, stood here and kept this place in a state of limbo while he talked about how they were so opposed to no-fault insurance. And what do we have now? We hear throughout all of their philosophical discussions, whether it be no-fault insurance or whether it be just the simple factor of no-fault, it's nobody's fault.

You start listening to some of the philosophies of some of the members of the cabinet of this government. The member for Cambridge, when he was the Solicitor General—Mr Speaker, you will recall that the former Solicitor General got into a great deal of controversy over letters that he had written to a judge, trying to influence traffic tickets. He simply said: "It's not my fault. I didn't write the letter; I didn't see the letter. I don't know anything about the letter. But it's not my fault."

Then there's the current Minister of Housing when she was the Minister of Health. At that time, when she was Minister of Health, she blurted out a name that was confidential. She said it wasn't her fault. "My staff made me do it. My staff wrote the name down on the file, but it wasn't my fault it was blurted out." She had to resign and she resigned her place as minister.

The Minister of Northern Development has of course been the most controversial of all. She's the one of course who will go down in the history of this House as a minister who took a lie detector test to prove that she was lying. She of course took some shots at a doctor and she says that she had a bad day. It wasn't her fault. The devil made her do it, but it wasn't her fault.

1630

The Minister of Correctional Services—the former minister of corrections; everybody seems to have been minister of corrections—and this of course was over the Bell Cairn incident. It wasn't his fault. He didn't know anything about it, but it wasn't his fault. He didn't know. It wasn't his fault.

Then of course there's the Minister of the Environment. That's a pretty good one. She's establishing these superdumps around the province of Ontario, in the GTA, superdumps in areas that people simply don't want them, where it's inappropriate to have them, but she says: "It

isn't my fault. It's the IWA's fault. They're the ones that chose it and they're the ones that are eventually going to establish these three sites." But it's not her fault.

Then of course there's the Premier. Everything is Mr Mulroney's fault or Mr Bush's fault or the world's fault, but it's not his fault that this province is going down the tubes. It's not his fault.

The Minister of Tourism and Recreation: Of course, he put out some government advertising involving bikinis, and he simply said: "I don't know anything about it. It's not my fault. I don't know anything about it, but it's not my fault."

The Minister of Consumer and Commercial Relations: Well, of course, when she was on city council she voted against gambling casinos. Now she's all in favour of them. She's going to support gambling casinos in the province of Ontario, but she says it isn't her fault. Floyd made her do it, because you've got to raise money in this province, but it's not her fault.

Now, the Minister of Government Services: He of course hired someone to do some construction work for his house and subsequently that contractor got a government service contract in Kingston. "But it wasn't my fault. The contractor did it. It wasn't my fault. I don't know anything about it, but it's not my fault."

Then of course there's the Minister of Culture and Communications, the member for Perth. The art gallery in Toronto has closed down because of lack of funding from this province to keep one of the greatest art galleries in North America alive, but it's not her fault. It's not her fault.

Mr Ruprecht: Who made her do it?

Mr Tilson: I'll tell you whose fault. It's the art gallery's fault, that's whose fault it is, but it's not her fault.

And then of course there's the chairman of the Constitution committee, you, Mr Chairman. Of course, you were caught up north blocking a road and you got arrested. I suspect you're saying, "It's not my fault. It's the Premier's fault. It's not my fault."

Then of course there's the member for Welland-Thorold, who's probably the most notorious of all members over there. He doesn't like gambling casinos, he doesn't like Sunday shopping, and he certainly doesn't like the no-fault bill that's come out. He doesn't like any of those things. He's a man of principle, but he's still sitting over there. He doesn't like any of those things. He's going to sit here in this House, and I'm sure he's going to somehow get half an hour of debate, the limited half an hour of debate. He probably should have a lot more, because I'd like to hear more of what he has to say. It's too bad that a former cabinet minister and member of this government is only going to be given half an hour to speak.

In any event, he's a man of principle, and he says it's the entire NDP's fault, the entire caucus's fault, for all of these things that he doesn't like. He's still going to stay over there, he's still a man of principle, but it's not his fault. It wasn't his fault that he got kicked off the cabinet because he posed fully dressed in the Toronto Sun. "It's not my fault; it's the Premier's fault."

The Minister of Housing: Of course, he's the one who says he hates landlords, the member for Windsor-Riverside—

Mr Gilles Bisson (Cochrane South): The Minister of Housing?

Mr Tilson: I'm sorry, thank you, the former Minister of Housing, the member for Windsor-Riverside. He hates landlords. He brought in rent controls, and sure, the housing industry is going down the toilet, but I'll tell you who that was. That was the fault of the landlords. It's the landlords' fault. That was his position: It's the landlords' fault.

Then of course there's the Treasurer, the famous leak of the budget documentation earlier, the last budget leak of documentation. It wasn't his fault. It wasn't his fault the security was broken down, notwithstanding that they were surrounding buildings with police, spending all kinds of money on security. It wasn't his fault; it was the civil servants' fault. It was the people who run this House.

Mr Speaker, you're holding up the bill as if I'm off topic, and I'm telling you, it's not my fault. It's not my fault. I'm telling you that these people over here are supporting the principle of no-fault, and this is how their whole philosophy comes together in this legislation: It's nobody's fault.

The Minister of Financial Institutions says the best thing. We have drunk drivers crashing into people, killing people and maiming people, negligent people making people paraplegic, quadriplegic. It's not their fault; it's nobody's fault. We're all going to have to pay for those terrible things where people's lives have been literally destroyed by the automobile. A negligent driver, a drunk driver: It's not their fault. That's the philosophy of this government, it appears, with respect to no-fault.

I think we should spend some time on the auto insurance chronology. It started in May 1986, when the Slater task force recommended that the government consider limiting the right to sue in order to reduce the cost of liability insurance. The task force was appointed by the Liberal government to examine problems in the cost and availability of liability insurance.

Then in February 1988 the Liberal government passed the Ontario Automobile Insurance Board Act, which established a board to set car insurance rates based on a mandatory classification system. That's going to be dealt with. The government of course is going to say, "We're going to regulate the insurance companies even more."

My question today to the Minister of Financial Institutions was not a flippant question as to whether or not this government simply puts the thumb down on the insurance companies in the same way it put it on the landlords of this province. Without justification, they're going to literally put the insurance companies out of business. I think the plan to take over auto insurance in this province is still alive and well over there. I think that's how they intend to do it. They intend to put the insurance companies out of business.

The minister means every word he says when he says he's not going to allow rates to be increased. But we must

look of course at the history. Of course the automobile insurance board act was established for purposes of setting car rates, and I will be speaking more to that shortly.

In April of the same year, 1988, the Honourable Mr Justice Osborne released his report on the car insurance industry. He recommended the existing system be retained—no-fault benefits plus an unlimited right to sue—but that accident benefits wouldn't be increased.

Then, in October 1989, the government introduced legislation for the comprehensive reform to the car insurance system.

In June 1990, the government's no-fault system, known as the Ontario motorist protection plan, came into effect. And of course it went on.

This government ranted and raved when it was in opposition, led by the member for Welland-Thorold and the Premier and a number of members who are still in this House, opposing that system and how dastardly it was and how it was going to destroy innocent people in this province.

Court actions would be allowed under this system only if the plaintiff could meet the threshold of serious, permanent injury or disfigurement or death. The member for Welland-Thorold—and I'm not going to boost him up; he can talk on his own, if the House would let him—is going to say, and has said, that you almost have to be dead to receive a benefit under the Liberal plan. The Meyer case which I started to refer to, which I will deal with shortly, established that, that you have to be almost dead to recover. So much for the Liberal threshold test, which certainly hasn't been improved; it's been made far worse by the NDP government.

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Then, in September 1991, the NDP government abandoned plans for a publicly run no-fault car insurance system, so it just reversed itself. So much for the Agenda for People. So much for their promises to the people of this province. A lot of people were relieved—I, for one. I certainly don't want a government-run operation. There's too much government in operation. For once they made the right decision. They cited the costs of implementation, they said it was too expensive. But I believe it's still in their minds. I believe there's a group over there, including the member for Welland-Thorold—I mean, he and I agree on one thing, but another, this point, we certainly don't agree on. It's too expensive. We can't afford it. Just look at British Columbia. The member for Essex South is right. We can't afford it.

Then, of course, in December the NDP government introduced its new car insurance plan, The Road Ahead, and that's what we're here—

Mr Harnick: It's paved with broken glass.

Mr Tilson: Yes, it is. It's paved with broken glass, and we're here to look at The Road Ahead.

We listened to the minister yesterday talk about how he plans to improve the system. He introduced a three-volume study which was produced in June of this year and presented to the House yesterday for debate in this House. Can you imagine? A very complicated actuarial report, and we are expected to digest that and debate that in this

House. He had an opportunity in June, he had an opportunity in July, he had an opportunity in August and September, and now we get it four months later. He hides this report from us. This is what he's basing his story on.

Then, of course, we're going to have public hearings. His staff have made comments in the press that they're going to allow two days—two afternoons, really—of public hearings. Two afternoons? We could spend four days discussing this, reviewing this.

Mr Harnick: And what was his promise?

Mr Tilson: What was his promise? His promise was that we would have full public hearings. On this matter, the Liberals went around the province. Why can't you people go around the province?

Who's supporting it? No one is supporting it. The people from London, the people from Sudbury, the people from Ottawa—there are cities all over this province that want to deal with it. So far it's been suggested that we spend two afternoons talking about this thing, and my guess is as well that closure will be put on this thing because many people want to be speaking on it.

Mr Harnick: No, they wouldn't do that. Not the NDP.

Mr Tilson: Well, we'll soon find out.

Mr Mercer's done very well. There have been a number of papers that we know have been prepared by Mr Mercer. Some of them have been made available to me—not the plans, because the government simply won't make them available. There was one that he prepared called Funding Principles; he made \$8,200 for that. There was another one, Interim Insurance Mechanisms; he made almost \$6,100 for that. There was another one called Servicing Carrier Approach to Delivery: Auto Insurance; he made \$9,100 for that. A Country Survey of Auto Insurance; he made \$13,000 for that. Public Auto Insurance: The Case For and Against; he made \$13,000 for that. Who knows what he made for this? The question is, of course, what did the government spend another \$5 million on? I mean, government offices were going to be rented to run the government-run auto insurance. They reversed their position.

Anyway, we got this yesterday and we're expected to digest—I'm up today and I was expected to digest this and make a presentation today. We're going to have two afternoons of hearings to review that and a very complicated bill. Actually, it's a very simple bill because it's all going to be done by regulation. We won't know what hit us.

I'd like to make a couple of comments on the report put forward by William Mercer. It's very difficult, and I hope we'll have more time in public hearings. I hope the government will reconsider its position and allow for hearings to go on around the province. I'd like members from all communities—the legal community, the insurance community, the various—

Mr Harnick: Innocent victims.

Mr Tilson: Innocent victims, all the people. I'd like them to comment on this, because they're not supporting it now. Who's supporting it? The negligent drivers of this province are supporting it. That's the only people who are

supporting it. I don't even believe you people are supporting this bill.

Let's talk about the premium costs. Mercer has estimated an average premium increase of \$33 or 3.9% under this plan over the OMPP. The minister said there would be an average decrease of \$45 or 5.4% under this plan over the OMPP. I'm afraid the minister is off by \$78 or 9.3%. That's what he's off. He's not right. He's not giving us accurate information. Mr Mercer estimates that the total cost of benefits payable under Bill 164 will be 13% greater than under the OMPP.

This of course buttresses the industry's position that the benefit costs will go up while premiums are being forced down, according to the Minister of Financial Institutions. The insurance industry is going to be on pretty shaky grounds. What's that going to do for the industry? What's that going to do for jobs? Is the agenda to take over the industry really there? I suggest it is.

Mr Jack Kerr, an economist from the University of Toronto and the legal counsel for FAIR, made a presentation this morning. I think he produced a survey, I believe from Angus Reid, one of the pollsters, that talked about the overwhelming number of people who are opposed to this legislation.

You gotta listen. You're going to allow two afternoons to talk about this report, the bill and hear people from the public. I suggest this government take a long, hard look if it's going to be credible—because so far it's got a lot to learn—and go around this province and see. Maybe they should reflect, particularly after all the grief they gave the Liberals when they introduced Bill 68.

Mr Stephen Owens (Scarborough Centre): They deserved every bit of it.

Mr Tilson: They did deserve every bit of it. I agree with you on that.

Mr Harnick: And you deserve it because you're breaking your promise.

Mr Tilson: Exactly. You're not keeping your promises, and I intend to get into your broken promises. I hope you make a speech to submit why in the heck you've broken your promise.

The minister has talked about his broken promises. He doesn't really care. He's just plowing ahead. He's doing as he's told; that's why he's minister.

Mr Kerr analysed the documents. When you get this handed to you the night before you're to make an address, it's very difficult to properly analyse it. It's going to take a number of experts from various communities to review this. The minister's had it for four months but we've had it for less than 24 hours.

In any event, Mr Kerr stayed up quite late at night, and if you heard his press conference, his comments were that the OMPP reduced benefits 43% on net to all victims over the previous system, the OMPP being the Ontario motorist protection plan. Bill 164 reduced benefits on net from pre-Liberal legislation by 36%. In fact, this translates into a net increase in benefits for victims over the Liberal plan but is still a decrease from the previous tort-based system.

The second point he made was that the Liberal OMPP allowed 5.8% of accident victims to sue for pain and suffering and economic loss, and this was only in the serious cases, notwithstanding the Meyer case. I think when we start analysing the Meyer case, those figures are completely wrong. The 5.8% represented 33% of the total cost to the system. This is Mr Kerr's analysis.

The most dastardly part of Bill 164 is that it removes the tort right to sue for economic loss, in other words, loss of future earnings. The pain and suffering awards are capped at \$100,000 in 1978 dollars and hit with a \$15,000 deductible under Bill 164. So according to both Kerr and Mercer, the net effect of removing the right to sue for economic loss and restricting the right for pain and suffering is a 15% reduction in total benefits and awards paid out. So much for improving the system, you people. Take another look at it.

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According to Mr Kerr's analysis, this means the consumer will be the loser. The very people we all represent are the losers, so it's even worse than the Liberal bill. Mr Kerr costed the ability to claim 80% of the current gross income under 164 versus the 90% of net under OMPP, with the following determination of benefits for various income levels. What he's trying to establish is that in fact this will be an increased benefit to the wealthy—figure it out—and a decrease for the poor, average-income earners.

Mr Bisson: You've got it wrong.

Mr Tilson: Well, I'll tell you, let's listen to it. But you say we've got it wrong. Mr Kerr has analysed it. I bet you, open that book, you wouldn't even understand it.

Mr Bisson: Oh, no, I don't know how to read.

Mr Tilson: You don't know how to read. Well, that's your problem.

Twenty thousand dollars equals 11% less than under the OMPP; \$30,000 income represents 15.9% less than under the OMPP; \$40,000 equals 18.4% less than under the OMPP; \$70,000 income equals 30.7% more than under the OMPP; \$80,000 income equals 46.1% more than under the OMPP and \$90,000 income equals 62.2% more than under the OMPP.

If Mr Kerr is right—I don't profess to be able to understand it any more than my friend who can't read, but this is very difficult, complicated stuff and I think there's going to have to be a committee to study this, because the minister clearly doesn't know what he's doing. We're going to have to look at this. What's it going to cost the consumer? Because if Mr Kerr is right, there's going to be an increased benefit for the wealthy and a decreased benefit for the poor income earners.

This is serious stuff. It's complicated and we're going to have to spend some time on it. It's unfortunate that these people have amended the rules to stop us from debating, probably to stop Mr Kormos, the member for Welland-Thorold, from speaking. He had a lot to say against the Liberal government, and I suspect he's got a lot to say now, but you've effectively silenced him.

Now I'd like to talk a little bit—I've mentioned the Meyer case briefly in my response to the member for

Essex South and I think it would be useful just to spend some time on it, because it shows—and I think the members over here if they haven't heard of this case should listen to it, because it probably will back up what their position was prior to the election. They haven't solved it. They've made it worse.

But this was what they were saying, "The Liberal plan is not going to work," and they're going to say it now. But let's talk about it. Let's talk about what the very first court decision had to say about that. This is the decision that recently came out of the Ontario Court (General Division), the ruling by Mr Justice E.R. Browne. This involved Johann and Margaret Meyer who were injured in a motor vehicle collision in June 1990. Their injuries did not impair their bodily functions beyond the threshold set out in the Insurance Act. That's what the judge said.

I've read the Liberal test to you, but I think most of us understand it in general terms. Probably we don't understand what these words mean when we start thinking about it, which means that if this bill passes, we're going to have pre-OMPP, we're going to have OMPP, all of which is going to the court, and then we're going to have the NDP ruling, which is going to go to the courts and it's going to be a mess. The suffering consumer is going to be the one who is going to lose while all these legal battles are going on as to what all these funny tests mean.

As a result of the accident, Mr Meyer, who is 70, suffered a fractured right kneecap that has prevented him from taking part in many of the activities he once enjoyed, such as certain gardening duties and swimming strokes. He has trouble kneeling and experiences some pain and discomfort, when walking, with changes in the weather.

Mrs Margaret Meyer is 68. Her injuries from the accident included fractures to the left knee and right wrist, soft-tissue injuries to the left foot and ankle and right shoulder, injury to her right middle finger and chest bruising. While still relatively active, she's unable to carry or work with heavy objects, such as a load of laundry, or swim the length and walk at a brisk pace for the distances she could before. As well, she still experiences pain.

Before the accident, Mrs Meyer had back and hip problems. The defence attempted to show that the symptoms she complained about would have been present regardless of the accident. It's quite clear that when you read what these people sustained, they were seriously injured. In any event, the judge said, "No, you don't meet the test." I'm not going to get into the legal part of it. I think that could be made available to you. The fact is that the case was thrown out.

Of course, when we listen to this case we remember the member for Welland-Thorold, who made the expression, "dead or near dead to recover," under the Liberal plan. Let's not forget that, because he's proving himself right. The Meyer case is proving him right. The Liberal plan is not going to work. Mr Justice Browne held that if the claims had crossed the threshold, Mr Meyer would be awarded \$20,000 and Mrs Meyer \$45,000. Under the old system, before the Liberal government introduced the threshold requirement, Mr and Mrs Meyer would have recovered these amounts in full. Under the OMPP, because

of this threshold test, the Meyers get nothing for their pain and suffering. Not a penny, nothing.

The NDP, of course, under the guidance of the member for Thorold and the Premier, predicted the very injustice the Meyers experienced. They promised they would repeal this unjust law and they promised they would return to the full tort system. Broken promises. We've come a long way from that. It will be too late for Mr and Mrs Meyer. The Liberals have done that to them. They can thank the Liberals for that, but not for the countless other innocent victims who will be injured on our highways. I urge all of you over there on the government side to think about what you promised the people of this province and to honour those promises.

The member for Welland-Thorold is obviously quite visibly upset. I took shots at him earlier.

Interjection.

Mr Tilson: It doesn't matter. That's right. He got an award and that's fine, but he's quite justifiably upset. Under the NDP government it probably will be law this fall.

Hopefully the government will reconsider its position and allow public hearings and allow us to go around the province to talk about and listen to some of the problems that have developed. Daily there are people who are being injured and they have no idea what the heck's going on. They know they're not being covered by this former government, the Liberal government, and they know that the NDP bill is going to cause them a mess as well. They're not going to get anything.

In any event, hopefully the government will reconsider its position and allow full public hearings around this province, and not just a couple of afternoon sessions upstairs in one of the back rooms. The Meyers's decision demonstrates why you have failed to honour promises. If the Meyers would receive a reward of \$45,000 under your bill, remember what's going to happen. You're going to take away \$15,000, because that's the deductible.

They're not going to get the \$45,000 that Mr Justice Browne indicated Mrs Meyer would get if they met the threshold, the one you can't stand that this government had made for you. They're not even going to get that. They're going to get \$45,000 less \$15,000. Is that fair? Of course, similarly, Mr Meyer would be awarded \$20,000. Well, he'd get \$5,000 under your bill.

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I really suggest that you reconsider your position. With respect to the deductible, if someone is injured in a motor vehicle accident, they're going to go into a law office and they're going to be told that they're not going to get a dime with respect to economic loss or future loss. I'm going to get into that in a moment. They're not going to get a bit of that. They're going to get something for pain and suffering, but that's only if you can establish to a court that the damages for pain and suffering are \$15,000, which is very rare. Let's say they're \$25,000 or \$20,000. Let's say that it's estimated, and that's just a guess as to what a court's going to award. There are a lot of uncertainties. But let's say there's a prediction that they're going to go to court for

\$25,000. There are substantial costs. What if they don't get it? I'll tell you what's going to happen: They're going to have their case thrown out, and they're going to have to pay their own costs plus the costs of the other side, all for anywhere from \$5,000 to \$10,000. That's all they're going to get, \$5,000 to \$10,000 on a claim of \$20,000 to \$25,000, because of your deductible.

Take another look at it. I would like to go back just to the practicalities of what the Minister of Financial Institutions has done. He introduced this bill and then he had a study done to justify what's going on. Of course, there's going to be more analysis of this. There's going to be a lot of time spent on this, I can assure you; more than just the less-than-24-hours you've given us to study it. He passes the bill and then he has a study to see if it's going to work. What a way to do things. He shoots first and asks questions later. What an operation.

I won't say anything more about the public hearings, but I do emphasize that you reconsider that position, that you not just have public hearings for several afternoons upstairs but that you go around the province, that you listen to some of the horror stories that the former Liberal government has caused. Ask yourself in those hearings whether you're resolving it, whether you're solving it. Are you helping the situation? Is Mr Kerr right? Are the benefits really not what you say they are? Are you going to really have people go to court for \$25,000 and only get at most \$10,000? Are you really going to make them do that, go through all that? Is that fair?

I'd like to read a letter from a constituent. I get these as the critic, as I'm sure the Liberals do. I can't believe the NDP members over there don't get letters from individuals who don't know what the heck is going on. They're involved in car accidents and they're being maimed for life, they're losing their jobs, they're losing their houses and it's affecting them emotionally.

I've got a letter from Darcy. Darcy says he's 31, he's married with two children and he was involved in a car accident under the no-fault insurance in February of 1992. The other party was charged in the incident and pleaded guilty; he was not injured, but there was severe damage done to his car. His wife received a mild whiplash, and his five-year-old son received a mild concussion. He sustained a severe back injury, herniated discs. Their car was a write-off; although insured for \$5,500, they only received \$3,000. His wife and son got over their injuries, but he on the other hand is still suffering emotionally, physically and financially. He's seeing four doctors on a regular basis, including two specialists and two physiotherapists, as well, of course, as his family doctor. In this coming late October, he is to go for a CAT scan to determine if an operation is necessary.

"As you know, we are all going through tough times in this province, and it doesn't help when I can't get back to work because of my injury. My employment pays me 70% of my wages, and Pilot Insurance pays me 10%, which leaves me with only an 80% total. Who pays me the other 20% of my lost wages and transportation to and from appointments, lost bonuses at work, an orthopaedic mattress for my back, special footwear and doctors' fees for filling

out an endless sea of forms? Am I expected to come up with this even though I am a victim of an accident and of the provincial government?

"As of September 8, I returned to work on a modified program under a doctor's supervision." He's an assembly line worker for Honda in Alliston. "Some days I can't even bear the pain of getting out of bed and I have to live with that. I can't sit very long. I can't stand very long. I can't lift very much weight. What do I have to do to go through this? At least I know at the end of the week my cheque will be there. I feel like I'm being trapped in this situation. I'm damned if I do, I'm damned if I don't.

"Seven months is a very long time for an average Christian family to try and struggle, and it's not over yet. In October, when I see the specialist, and if he decides to operate, I will be back to 80% of my wages and no allowances, when my mortgage depends on 100% of my wage. As a result of the financial burden placed on myself and my family, our house is now up for sale and our credit is to the maximum. We have no vehicle, and all because I was the victim of an accident that wasn't my fault."

I'm not sure how this new law, no-fault insurance, is supposed to work, and that's the problem: Nobody can figure it out. These people can't even figure it out. Wait till you start getting the regulations. Have any of you seen the regulations? You're going to have to have a lawyer, a PhD, a planner, God knows what, just to understand what's going on. It's unbelievable what's being planned, and you don't even know it. You're looking at Bill 164, which is a few pages of paper. Wait till you get into the regulations, and half of them haven't even been presented yet.

So he's in bad shape because of the Liberals and he hasn't got much faith in these people either.

Mr Kormos: Public auto would have taken care of him, David.

Mr Tilson: I'm not so sure. I'll give you a chance for that, but at this stage I'm simply saying that it hasn't worked. This hasn't worked and that hasn't worked, and we're in a mess.

Mr Owens: Send that letter over to me, David.

Mr Tilson: Sure, I'll send it over to you. I'll make a copy and make that available to you. I'm not going to give it to you now because it's the only one I've got, but I'll be pleased to make that available to anyone.

It's interesting, I mentioned in some of my earlier remarks, that the minister plans to say there's not going to be any increase in rates. You know, at the end of their caucus retreat at Honey Harbour he said there will be no increase. Prior to that, I think he said there's going to be a \$45 decrease in premiums as a result of their amendments. Notwithstanding of course the insurance people, and Mr Mercer's report, are all saying costs are going up, he simply says there's not going to be any increase.

How in the world are the insurance companies going to pull this off? With these added costs that are being put on to them, what are they going to do?

I'll tell you what I think they're going to do. I think they've given control to the cabinet, and I think the cabinet is going to start making some decisions. I think in fact

they're going to control the insurance industry. They're not going to let them get out of it. Bill 164 says: "Sorry, you can't get out of it. You can't leave it without being heavily fined. You can't stop it. You're just going to have to find the money somewhere," just like the landlords have to find money to pay for their buildings, with money that they don't have.

So the costs are going up, the whole operation is going up because of a very complicated benefits system, and I'll tell you one thing: When you start looking at these regulations, the insurance companies and this government are going to have to have a whole series of training courses to make their staff understand what in the world this is all about. The government is going to have to hire people. They're going to have to hire more bureaucrats to understand the regulations. They're very, very complicated, and if they're not, I'll challenge the government to go through them and tell me why they're not complicated. They're very, very complicated. They're going to have to train people. They're probably going to have to hire people.

What does that mean? What cost is that going to mean? Again, more increased taxes.

What's it going to mean? The insurance companies are going to have to train their staff to understand these regulations. They're probably going to have to spend an unbelievable fee, pay some actuary an unbelievable fee, just to explain this thing, the Mercer report. The Actuarial Costing of the Road Ahead: A Comparative Study, it's called. It's grim.

1710

Then of course you've got the consumer who gets involved in a motor vehicle accident. He's going to go to these hotshot insurance people, who are going to try and talk him out of it. And what are they going to do? Do you think they're going to understand these regulations? Are they going to go and hire a lawyer and pay a lawyer or a consultant or an actuary person all kinds of money to explain these to them, to fight for their rights for receiving benefits? Is that what they're going to have to do?

Where are they going to get the money, because they can't recover it? Is it like our friend Darcy who doesn't know where his next dollar is coming from? He's lost his car; he's going to lose his house; he hasn't got enough money to pay for his mortgage payments. What in the world are these people going to do? Very serious implications.

We've now seen just the tip of the iceberg as to the effects of the Liberal bill. It's taken all this time to see the effects of this. You can say, "Oh well, everything's going on." I'm telling you, it's starting to happen now and I can't believe you're not all getting letters from people saying, "I don't know what's going on and my life is ruined."

So, I'll tell you, I think that's the plan. The plan to take over the insurance business is still there, just like they plan to take over the housing business. It's either going to lead to increased premiums—I mean, is the Insurance Bureau of Canada wrong when it says that rates are going to go up from 20% to 50%? Are they wrong?

Mr Mercer is saying there's going to be a whole pile more costs. Who's going to pay for those things? I'll tell you who's going to pay for those things: There are going

to have to be increased insurance premiums. Money doesn't grow on trees. The other alternative of course is that this government is going to put the thumb on the insurance industry and say, "You can't put up the rates," notwithstanding that costs are going up.

It's an absolutely impossible situation for the insurance companies and there's no question that it's the next step towards publicly run auto insurance, so I'm sure the member for Welland-Thorold will be pleased that in fact that's the plan. He may not be told. I'm sure they don't even talk to him over there. But I can tell you that that's the plan.

Now the issue of getting rid of the concept of fault. I spent some time, I'm sure to the annoyance of cabinet ministers, talking about "It's not my fault." I did that for a very good reason. I believe that's the philosophy of this government: It's nobody's fault. When I was growing up, and still now, when you make a mistake, you have to pay for your mistakes. Who's going to pay for it? No one is going to pay for it. We're all going to pay for it. You make a mistake and you make a mistake and we're all going to pay for your mistakes. Is that fair? There's no question that this plan is a logical underpinning to a system that gets rid of the concept of fault and spreads money evenly among people who are injured in car accidents.

Mr Roger Oatley, who is chairman of the insurance committee of the Advocates' Society, has written you, I know, and has expressed many concerns. He says, "The difficulty is that approach and philosophy is no consolation to the innocent person who is seriously and permanently disabled and suffers lifelong devastating losses, particularly where there is no insurance product available to replace it."

Mr Oatley says, and he's right, "You can't buy the kind of coverage that the government is taking away from us." You can't buy it. Of course, you can go out and get some extra coverage for loss of income, but you can't get insurance coverage from what the government has taken away, from either of these governments; it simply can't be done.

He also expresses his concern that long-term care won't be addressed by the current ceiling of \$500,000. He worries that the expenses incurred in caring for the injured person will preclude expenses to maintain their home and lifestyle. He says, "It's impossible to enumerate an exhaustive list of these expenses because no two cases are the same."

That's the problem with the philosophy of the NDP. It says we're all the same. No matter what your walk of life is, we're all the same. It doesn't matter what your qualifications are, we're all the same and that's how we're going to treat you all. That's the philosophy behind it.

He adds, "The insurers are freed from their obligation to pay any portion of expense for long-term care if that care isn't reasonably available under any other plan or law." He says, "The consequences of this are dramatic," and he talks about the publicly funded program, which I believe is still alive and which the member for Welland-Thorold still wants. He says, "If a publicly funded program is available to care for the victim, the insurer will refuse to provide a preferred form of private care which restores the victim and his family to the victim's traditional style."

We were making some remarks on the member for Essex South's comments on publicly run systems. He's right. We should look at that. We should spend some time on the cost of that. I'm not going to repeat what he said because I think he adequately explained the unbelievable cost, that it simply can't be funded, and the government quite rightly came to the decision that it would not proceed. But it's still alive.

Let's talk about broken promises. It's called integrity. It's called integrity of running the system. You run through the Agenda for People, or agenda for power, whatever you want to call it. People are becoming very, very cynical: "Oh, well, this is another one of their broken promises. They haven't kept one yet." I'm not going to run the list; we could go on for pages. But this is one.

If I were a member of this government, I'd be terribly embarrassed, including you, Mr Parliamentary Assistant. You know perfectly well that your promises with respect to auto insurance have been broken.

Mr Owens: That doesn't run for two pages.

Mr Tilson: It doesn't run for two pages? I'm telling you, it only takes two words to say you've broken your promise. The road ahead is indeed going to be rocky. In the last election, they made a promise to keep premiums down and restore the right of accident victims to sue. Don't ever forget that. That was your promise, and you're not honouring it. For some unearthly reason, you've taken that away.

It's even worse than the Liberal bill. It's even worse than what you stood in the House for for 17 hours and fought them on. Both our parties were the same. Both the Conservative Party and the NDP were partners. I can't believe I'm saying that but, believe it or not, we were partners in fighting this legislation. Now that you've gained power, you've broken your promise, because after winning the election, you were confronted, you say, by hard facts.

That didn't stop them from making a new promise, to give every accident victim the right to sue for pain and suffering. We'll talk about that, and we have talked about that somewhat, because you're not. You're not giving every person the right to sue for pain and suffering. You've got this funny thing called a \$15,000 deductible. Can you imagine?

Now \$15,000 is a lot of money to the average person in this province. It's a lot of money, and I can tell you that when you're hit by a negligent driver and you're being asked to pay a \$15,000 deductible when your life is being affected unbelievably, every aspect of your life and family is being affected, it's hard to understand. We have a \$15,000 deductible on pain and suffering, effectively rescinding the right of the majority of accident victims to sue. That's what you've done.

These moves reflected your final acknowledgement that the promises were made without any regard for the basic facts. I don't think you've thought of it.

I'm going to harp back to it again. Have some public hearings. Let's hear how the Liberal plan is working. The member for Welland-Thorold is perfectly right: What

you've done is a carryover; it's an extension of the Liberal plan. Let's see if it's working, because if it's not working, you're wrong too.

1720

Is the Meyer case right? I suspect it may or may not be appealed. I hope it is appealed, because it certainly has created a mess as far as innocent victims in this province are concerned.

Of course, you recall that the member for Leeds-Grenville put forward a bill he supported which said to return to tort. When the Minister of Financial Institutions was an ordinary member, an ordinary person in this House, he voted for it. He said he made a mistake; it wasn't his fault. He said, "Anyone who makes a promise and then finds that there are in fact better ways to deal with the problem is a fool if he sticks to his promise." Isn't that an amazing statement?

He introduces a bill, probably for political reasons, then has a study done 9 months, 10 months after after he introduces the bill to see if it's going to work. Remarkable. One question, of course, remains: What do you tell someone who makes promises that are impossible to keep?

We have to remember that the government, through its officials, including Premier Rae when he was Leader of the Opposition, repeatedly indicated to the people of Ontario that a hybrid tort/no-fault compensation system was the appropriate model. This is what opposition leader Rae said to the Osborne inquiry:

"We believe that accident victims should retain the right to sue where they think that losses exceed benefit levels. It's clear that, because of personal or occupational circumstance, the same injury will involve greater loss for some persons than others. Nor do we consider it necessary or appropriate to impose any kind of threshold requirement in limiting the right to sue to those whose loss exceeds a specified dollar amount or stated degree of injury. To do otherwise calls into question the integrity of the government. To do otherwise breaches a promise made to the people."

Well, so much for the promises of the Premier. So much for the integrity of this government, because when are we going to believe these people? They say one thing and they do another; they do the opposite. They're worse than the Liberals.

Mr Owens: The Liberals hurt themselves falling off the fence.

Mr Tilson: You'll get your chance to talk about the Liberals. I'm telling you that you'd better rethink this bill, because you're creating an absolutely impossible system.

Here are just some of the regulations. I'm not even going to attempt to go through them. It'll be nice if we have some hearings to talk about them and have someone come and explain them to us, because I don't know what the heck you're doing. As I say, you're going to have to train civil servants, the insurance companies are going to have to train people—very complicated stuff. All this is going to cost. It's going to cause premiums to go up. It's going to cause taxes to go up. It's another cost.

Mr Owens: Why is it going to cause taxes to go up?

Mr Tilson: Why is it going to cause taxes to go up? Because you're going to have to train everyone how to understand these plans. It's very complicated. The whole bill is run by regulation. The bill is very brief, but the regulations—and we haven't seen them all—very complicated stuff.

I challenge anyone over there to tell me what it's about. I encourage that. You've got 30 minutes each; that's if the House leader doesn't cut us all off, and I suspect he will. I'd like to have you people explain what the heck you're doing. Do you know what you're voting for over there? Have you understood it?

The Advocates' Society has spent much time trying to explain to you what you've done. It's written the ministry, it's written the Premier and I suspect it's written many of you. He talks about the delivery of benefits problem, and I'd like to briefly comment on what he has said.

"There has been a problem with delivery of first-party benefits for many years. I believe you are well aware of the abuses. Lawyers who act for accident victims spend a great deal of time enforcing the rights of insureds against insurers. Because most accident victims will be totally dependent on their first-party rights in your system, the availability of effective and real remedies for the enforcement of the first-party rights is critical."

You say you're going to do away with the legal system, that there aren't going to be legal problems. Well, people are going to have to hire lawyers to explain what the heck's going on. When they have an accident, they're going to have to go and have someone explain it to them, because they won't understand. That's the sad part. You're saying we're going to do away with the legal system. In fact, the minister's made some rather derogatory remarks about the legal system. Well, I challenge you—unless you're going to have another advocacy system; maybe you're going to have another army of advocates to try to help people, another bureaucracy to come and explain to people what the heck all this means.

Bill 68 and its regulations—the Liberals, of course; talk about their regulations.

"They introduced a complex system of rules and penalties and introduced a mediation process which was supposed to ensure prompt and fair delivery of accident benefits." Rehabilitation consultants, health care providers, victims and their lawyers find that the delivery of benefits remains a very significant problem. If anything, the situation is now worse because fewer people have access to counsel in the new system and fewer people as a result are aware of their rights to have an effective remedy for a policy breach."

You're worse than they are, when you think about it. Think about that \$15,000 deductible. You've just ruled out a whole bunch of people who have been innocently injured; they're just out of luck. Just write a cheque for \$15,000, and if it's under \$15,000, too bad.

"Any system your government designs will have delivery problems. Despite the best intentions of insurers, there will be differences of opinion among physicians and other providers over the need for and the quality of care. Although some insurers will approach their obligation

honourably, others will not. Victims need lawyers. They must have access to counsel and to justice. Whatever the rules may be and whatever the dispute resolution system might be, victims must have real access to counsel. It's a democratic right. As the Attorney General's ministry knows so well, real access to counsel is only possible when the insured has access to funds for payment of legal fees."

You might start telling us some lawyer jokes, and that's okay, but someone's got to explain this stuff to these people. If you're not going to have lawyers, you're going to have to have someone else. The bill doesn't address that. The bill doesn't address who's going to explain these regulations, these very strange, very complicated regulations.

Withdrawal provisions: The insurance companies are saying this is the most draconian bill they have seen. It's worse than the Liberals'. They don't like it. You can talk about the profits insurance companies may or may not have received; that's fine. But we now have a new provision which gets to the whole issue of the economy. It's called the withdrawal provision.

Some of you may not know it, but if an insurer wanted to leave Ontario or wanted to leave the insurance business because of this Bill 164, if it wanted to do that, or if it simply wanted to discontinue operating, it will face heavy penalties. To withdraw, insurers must first apply to the Ontario Insurance Commission—this is Bill 164, this is your bill—to withdraw from classes of business.

If permission is granted—and they may not even grant it; in other words, can you imagine, they don't want to stay in the business but they may say, "You can't do it, sorry"—they're going to charge a fee. They're going to charge a big fee to get out of the business because you've created such a mess with your bill. They then would be banned—and this is the best part—if things change, from re-entering the market for three years.

How in the world are you going to encourage insurance companies to start up a business here or to come from other companies to operate insurance in this province? Why would they come? You're going to fine them. You're going to say, "You can't come back in, if you leave, for three years, and if you do leave, we're going to fine you." Have you ever heard of such a thing?

1730

I might add—we talk about these regulations that we haven't seen—the withdrawal provisions make up about 25% of the bill. These provisions legal counsel have submitted—and again, I'm telling you, the Liberal bill has gone to the courts, and your bill is going to go to the courts. One of the reasons it's going to go to the courts is on this issue, because it violates the Constitution.

The Premier stood here in this House and talked about how wonderful this country is. You're violating our Canadian Constitution. It contravenes the freedom of choice to remain in business. You're not giving anybody the choice. There's no choice. As I say, it will be a barrier to attracting new capital. That's another point that you might consider, that there's no such thing as choice. "You do as we say. We're going to tell you what the rates are going to be. We're going to tell you whether you can stay in this

province. Then we're going to tell you, if you're going to leave, we're going to fine you."

I'd like to spend some time on long-term care. The insurance industry is concerned that Bill 164 does not place a time limit or cap on supplementary medical and rehabilitation benefits. The insurance industry wants to ensure that all accident victims receive adequate medical care, but not placing a cap on rehabilitation benefits will result in increasing medical costs for insurance companies, particularly when the minister is saying, "Notwithstanding that, I'm not going to allow you to raise the premiums." Doesn't this sound a lot like Bill 4 and Bill 121? Doesn't this sound familiar? It certainly does to me.

The cost of covering these medical benefits will ultimately be passed on to the consumer in the form of higher insurance premiums. Someone's got to pay for it. Where's the money going to come from?

Mr Stockwell: The sky.

Mr Tilson: Yes, maybe it's coming from the sky. It appears to be, because there's only one other place it's going to come from. But you don't have any money; you're broke. So it's going to come from the consumer. It's going to come from insurance premiums. So currently we've got a problem with that. I think you're going to have to revisit that.

It's the belief, then, that long-term care won't be adequately addressed by the current ceiling of \$500,000. The expenses incurred in caring for the insured person will preclude the expenses to maintain their home and lifestyle. So that's another problem, the long-term care issue, the cap, and the fact that premiums are going to go up, costs are going to go up. There's nothing anybody can do about it because you're just simply going to put your thumb on the industry and say, "You're not going to"—where's the money going to come from? Ask yourself the rationale. You're adding all these costs, all these things on to the insurance company. How have you solved the problem? You've made it worse. You've blown it.

Again, I would like to spend some time on the deductible. I believe that when there are injuries exceeding \$15,000, to the \$20,000 limit or the \$25,000 limit, the insurance companies are going to take a hard-line approach. They're just trying to stay alive, because of your policies. They can take a hard-line approach, and they're going to say that the claim is only worth \$15,000. So you're going to have to go to a lawyer. Of course, that's okay; the lawyer's simply going to say it's a deductible of \$15,000, so the most that you're going to get on a \$20,000 to \$25,000 claim is \$5,000 to \$10,000, and your legal costs might be another \$5,000 or \$10,000. If you blow it, you're going to have to pay all those costs for both sides, and if you win, all you're going to get is \$5,000 to \$10,000. What a system.

Is it worth it? Is it worth it to go to court for \$20,000 to \$25,000, or indeed \$30,000? Is it worth it? Is it worth the gamble? There's no question all the lawyers are giving is an opinion. They're going to get some medicals and they're going to draw an opinion, "Yes, I think the claim is probably worth \$20,000 to \$25,000." But it may not be

because the insurance companies are going to say: "Are you kidding? It's only worth \$15,000. You have to pay the first \$15,000."

The other strange thing is—I've asked the minister this in the House—where did he get \$15,000? Where did that come from? Whose bright idea was that? He doesn't like the threshold test. Somebody over there—I don't know who—came up with the idea: "Well, we'll have a deductible of \$15,000. That'll get rid of all the fake claims"—all the fake claims of people who are genuinely suffering—"and it's also going to get rid of the \$20,000 to \$25,000 and maybe \$30,000 claims." It's a bright idea.

The NDP plan will permit any victim to sue for pain and suffering but, as I say, the awards are subject to the \$15,000 deductible. Anyone with a pain and suffering award of \$15,000 or less will receive zip—absolutely nothing.

Hon Elmer Buchanan (Minister of Agriculture and Food): It's not worth going to court.

Mr Tilson: They won't receive anything, Minister of Agriculture and Food. They won't get a dime. If you have a claim for \$10,000, forget it.

Mr Owens: What about rehabilitation?

Mr Tilson: Rehabilitation? I'm talking about claims under \$15,000.

Hon Mr Buchanan: The lawyers get it all.

Mr Tilson: No, you're dead wrong. Read your bill. You don't even understand the bill that's before this House. They'll get nothing.

The truth is that many innocent accident victims with painful long-term or permanent injuries will continue to receive nothing. It's like my friend Darcy from Orangeville. Nothing. Zip. He's not going to get anything for his misery and the disruption to his life because the suffering may be deemed to be less than \$15,000. He won't get a dime.

In the area of lost earnings or disability benefits, if you prefer the Minister of Financial Institution's plan, increases to the maximum no-fault benefit from \$600 to \$1,000 a week. However, under the minister's plan that's all you get even if your actual lost earnings or projected earnings total far more than that. That's all they get.

Let's take someone like a hockey player or Liona Boyd or someone who's making a great deal of money. They don't get anything for lost earnings or future lost earnings.

Mr Owens: They also have supplemental insurance.

Mr Tilson: Are you kidding? Can you imagine if a performer such as Liona Boyd was involved in a motor vehicle accident and injured her hand? Can you imagine what she's going to get under your plan? I await for you to give the answer, because I'm telling you that compared to the pre-OMPP she's getting zero. Economic loss: You've ruled that out the window. She's not getting a dime for economic loss.

The trick here is the word "earnings," because if you're a self-employed individual, you're liable to lose your entire business because it doesn't apply to that. If you're a child, you'll receive nothing for projected income loss. If

you're a student, you'll have no hope of being fully or fairly compensated for the lifetime of earnings you have lost through no fault of your own.

Of course the minister says, "Oh, that doesn't matter; we're all equal." It doesn't matter if you have a medical student who has gone through university and medical school and he's just about to become a doctor and he gets involved in a motor vehicle accident and he's making nothing or next to nothing. He doesn't get anything for his projected loss. So we're all equal. The whole issue of economic loss is out the window.

So \$15,000, as I indicated, will be deducted from court awards, so therefore insurers don't need to seriously consider settling it unless the injury exceeds at least \$20,000. Again I suggest that's pretty risky as well, as the cost of the plaintiff financing the litigation will leave a nominal gain. It's not worth it. In fact, some people say it's not even worth it if you have a claim for \$30,000; it's too risky.

1740

The minister is going to say it's going to stop the nickel-and-dime operation, the nickel-and-dime type of lawsuit, but it actually reaches into the main street of general damages, the main street of pain and suffering. It removes a whole slew of them. Think about it.

The issue of premiums: I'm sure there's going to be a debate back a forth. The minister is going to say, "Oh, there's not going to be any insurance premium increases because of our plan." He's already said it. In fact, at one stage he said it's going to go down \$45.

Well, he doesn't say that any more. Now he says there are not going to be any increases, notwithstanding the overwhelming comments that are coming. I have a letter from State Farm which predicts, "Our actuaries, using real facts from over 30 million policyholders, predict a premium increase of 20% or higher with the proposed Bill 164." The Insurance Bureau of Canada actuary, a separate actuary, says the same thing. Of course, the minister is saying, "Oh well, read the William Mercer report." Can you imagine? That's his answer. He has no idea.

He says he's going to make sure they don't increase their rates. I've asked him whether he's going to implement the controls they did on landlords and today he denied it, so we will be looking forward to seeing exactly how he's going to control the rates. I suspect, as I said earlier, that the cabinet's going to be making some unusual decisions, because that's allowed for in the bill.

Economic loss: I think we should talk about that briefly, because by eliminating the recognition of future earning potential, the government has condemned seriously injured students to a lifetime of benefits based on their financial situation at the time of the accident. Generally, students aren't making a great deal of money. In fact, some of them are on the food lines. I was reading this week that there are serious problems with students who are actually going to food banks. They can't find food.

So they get involved in accidents, notwithstanding the fact they're getting into a career that hopefully will provide them with remuneration, at least as much as some of

you people are making over there, but they won't get it. Under this plan, they won't get it. Economic loss is gone.

I'd like to read a little article, some quotation from the Peterborough Examiner which was put forward about the time this bill was introduced last December. It's called "Failed Dreams," and I think it adequately explains the problem of economic loss.

"Queen's Park giveth and Queen's Park taketh away, and all thoughts of transforming the Ontario auto insurance system died a quick death.

"Accident victims will get bigger income replacement payments. They'll rise to \$1,000 a week from the current \$600 and the benefit will be tied to the consumer price index to ensure that inflation doesn't eat away its value, but they'll lose the right to sue for lost incomes.

"Students, seniors and the unemployed need not apply. The limit for most of them will be \$185 a week, regardless, presumably, of whether they are weeks from graduating to a professional career, weeks into retirement from a well-paying job or, worse, a highly skilled and highly paid worker between jobs. Is this fair? Today, an estimated 5% of accident victims can sue for the loss of future income."

Again, I remind us that the Meyer case probably, if that stands, would be even less. That right would also be gone. So that right is going to be gone.

"Those permitted to sue for pain and suffering, that is, those who are not totally at fault for their accident, would be allowed to take court action, but imposing a \$15,000 deductible wipes out any gain for some 85% of accident victims.

"Death benefits to a surviving spouse will rise from the current \$25,000 to \$50,000 with a geared-to-income ceiling of \$200,000. Too bad need doesn't enter the picture."

Interesting: No fault, no need, you're going to get it anyway, depending on what your need is. We all have different needs. We're all different, believe it or not. NDPs are different from Tories, I hope.

"Before he became Premier, Bob Rae couldn't say enough bad things about the no-fault scheme introduced by his Liberal predecessor. Now the best he can do is tinker with what he used to tongue-lash.

"Ontario voters who thought they risked government takeovers of private business had their fears realized in an unexpected way through rules on auto and out-of-health health insurance that hurled them into the arms of private insurers—for a fee, of course."

There are more stories on the road ahead. About a month later, the Toronto Star took a letter to the editor which was written by a Rod Barr. I assume he's a solicitor just from the way he talks. You can't ignore him. You can say, "I don't like lawyers." The fact of the matter is, these people are dealing with these matters all the time. They know exactly what's happening to these people. He says:

"Under the Peterson plan, if you were injured, you could claim for income loss as well as damages for pain and suffering. No more. The NDP proposes that no accident victim be entitled to claim his or her full economic loss if it exceeds \$1,000 per week."

He gives a couple of examples which I'd like to read to the House in their entirety, because I think it explains the

dilemma and the fears the people of this province are going to be put into as a result of this bill that's before the House.

"Assume a small businessman, a corner store operator. His store is open from 7 am to 11 pm, seven days a week. He works constantly. He clears \$25,000 a year, but his business is growing and he's optimistic for the future. A drunk driver crashes into him and he's disabled for a year. Under the new NDP plan, he will receive 90% of his profit, and that is \$22,500 a year. Unfortunately, he can't hire anyone to work the way he did for \$22,500 a year. Even if he could, this would leave him with nothing to live on. So he loses his business. He's wiped out.

"Of course, he is entitled to claim damages for pain and suffering subject to a \$15,000 deductible, but if he recovers in a year, he won't be able to prove \$15,000 damages for pain and suffering. He gets nothing."

Another example:

"A student's leg is badly injured when a motorist pulls out from a stop sign without looking. He loses two years from school. He is two years late entering the workforce and loses two years' income. Then he gets a job, but the evidence is that in about 15 years he's going to require an artificial knee and a hip replacement. This will have to be repeated in a further 15 years, after which he will no longer be employable. He will lose probably several hundred thousand dollars of earnings because of the accident. He cannot claim it and he probably will wind up on public assistance by the age of 50."

Mr Barr concludes—and this is an article from the Toronto Star of January 4, 1992:

"People who support the NDP regard it as a compassionate party. One can only hope government members will realize what they are being asked to approve before this savage legislation comes to a vote."

Think about those things. I know you're being told to vote on these things, but think about it. There's still time to have public hearings and listen to some more stories. I think from your perspective, I would like to hear some of the stories that were caused by the Liberal legislation. I'd like to hear that and I can't believe you don't, for your own political gain. You may even want to say, "Yeah, we're improving the situation," but it may well be that you're wrong. I'll be interested in hearing the debate, which some of you will only have half an hour to debate on, unfortunately, on some of those points that have been raised. I'd like to see whether they're challenged or not. I don't think they can be.

Mr Owens: Don't forget Darcy's letter.

Mr Tilson: Yes, I'll give you Darcy's letter. I'll give you anything you wish if it can persuade you to persuade your minister. Well, you can't persuade him, because he's just doing as he's told, as you are.

I'd like to talk a little bit in the few minutes that are left with respect to discrimination.

Mr Larry O'Connor (Durham-York): Seven minutes.

Mr Tilson: I can do this in seven minutes. It has to do with the matter of seniors. Under the plan, income replacement benefits for employed seniors will be phased down

over four years. The income replacement benefits for the long-term disabled will run to 65, at which time they'll be replaced by a much-reduced income supplement which parallels pension benefits. By setting the limit for auto insurance benefits to seniors at 65, what the NDP is in fact saying is that a person's earnings potentially end at that age. Didn't we debate that some while back? In any event, there's a little cap at the age of 65. The modern reality is that many seniors do not wish to retire at the age of 65. They have active lives and are productive wage earners.

1750

Interjection.

Mr Tilson: Well, read your bill, because you're not allowing them to. Your bill doesn't say that. Seniors are discriminated against as a result of your bill. Read the bill, because I can tell you, it does. They're discriminated against in terms of the age limit and the benefits they are entitled to under your plan.

At the same time, Bob Rae, the Premier, is saying that he will consider as valid seniors' working lives prior to 65 only. When they get to be 65, give them the heave. That's what this bill says.

If you don't like it, I suppose there's always room for amendment, but that's what your bill says. You're practising double discrimination against the seniors of this province, and what is most disturbing is that the seniors somehow will stop functioning at full speed as productive and creative members of society when they reach the artificial retirement age of 65. But with this bill, they're cut off. That's that.

Many seniors over the age of 65 are vitally involved in the workforce, in the community. They're not to be turfed out, as you are saying. They have a tremendous wealth of experience and knowledge, and I would hope that you would listen to it, because I don't think the seniors are going to like your bill one iota when they realize what it's going to do to them.

I've got a few brief moments left. The whole subject, as I said, of auto insurance is something that I don't think a great many people realize—because how many people in this province are affected by auto accidents? Probably a relatively small number, but when you're affected, when you get in an accident or when a member of your family is involved in an accident, a son or a daughter or a wife or whoever, you suddenly realize what these people have to go through. Politically, you can say, "Oh, well, the number is not there; it's not going to affect a large percentage of people in this province." But if you're affected—Mr Barr could be correct that many of these people could be on public assistance by the time they reach the age of 50.

I would like to comment very briefly on the regulations in the three minutes I have left. They are certainly elaborate and they're complicated. It's going to take a lot of time to learn them, for me, for you, for the lawyers, for the insurance companies, for the civil servants—very complicated—and it'll be difficult to explain these regulations to everyone. The draft regulations accompanying Bill 164 regarding changes to the accident benefit schedule outline a benefit scheme which lacks controls and is unworkable

and undeliverable. That's the submission, and when you read them you'll just blink your eyes, because they're going to be overwhelming to you.

Overcompensation of accident benefits is also a concern with these regulations. Again, there is the issue of need. Are we all the same? Some people's injuries may be worse than others. Are we all going to be put in little compartments? Is that what you're trying to do? Are you trying to put us all in the little compartments? Hopefully you're not. Hopefully we all have our own personal problems when we are involved in these accidents, and it affects us differently.

Both claimants and insurers will have difficulty. In other words, both sides, the claimants and the insurers, will have difficulty interpreting and implementing this benefit plan due to its complexity. I'm going to harp again: We must have full public hearings that go around this province. I think we should hear representations on the regulations. I would like to hear representations as to where the system is going to work. I don't think the minister has looked at that. Some of the regulations haven't been even thought up yet, they don't exist, but the ones that do exist are unbelievably complex.

The draft regulations, as I understand it, address five areas: comprehensive benefits, categorization, loss control, disability benefits and rehabilitation and medical benefits. The regulations pertaining to the withdrawal provisions that I referred to earlier and the regulatory powers of cabinet—and that is something where, just in conclusion, Bill 164 does give an unbelievable amount of power to the cabinet.

You may not know that, but under the terms of Bill 164, the cabinet, not this House, would be allowed to prescribe a uniform, non-discriminatory risk classification system which automobile insurers must use. Cabinet would be allowed to prescribe rating factors, establish various benefits and conditions on which they are payable, as well as optional benefits that insurers must offer. These expanded powers of regulation would be enacted immediately, without notice, consultation from the public or political scrutiny. That's kind of scary, isn't it? We won't even know what hit us.

The insurance companies won't know what hit us and certainly the consumers won't know what hit us. How are these companies going to operate if the cabinet is going to, out of the blue, challenge the rates? They're going to put a stamp on the rates and they're going to say, "No more," notwithstanding the fact that the benefits are going to push them over the edge. They can't leave the country, they can't leave the business. What are they going to do? It's like future shock. It's rather startling.

Auto insurance in Ontario is probably one of the most heavily regulated in this province, where the system remains in private hands. I submit that it's just got completely out of hand in this and should be reviewed in public hearings, considerable public hearings.

The Acting Speaker (Mr Noble Villeneuve): Thank you. The honourable member's time has elapsed. Questions and/or comments?

Mr Farnan: I have an observation in reply to the member for Dufferin-Peel, and it's to the people who are watching the proceedings over the entire day, who've heard the comments made by both the Liberal critic and the Conservative critic with regard to this legislation.

It's been an extraordinary afternoon, because what we have witnessed is a degree of partisanship in approaching an issue that really, in my mind, is not particularly helpful. The people of Ontario are sick and tired of the kind of negativism, the kind of approach where the opposition is simply there to criticize, which is lacking in constructive input. We didn't hear on any occasion, from either critic, "We like these particular aspects of the bill, but these are areas we've got concerns with." No, it's just a totally negative approach, and it's an approach I believe the people of Ontario are not going to accept.

We didn't hear anything from either critic which recognized the fact that the benefits in this legislation are actually indexed, whereas previous legislation was not indexed. We didn't hear anything from either of the critics which said that the \$15,000 threshold is a lot more generous than the Liberal threshold, where permanent and serious injury of a physical nature was the criterion.

There's almost nothing in the observations that were made which said, "There are some good points about the legislation." One comment, I believe, that was made was "selective history." I think the member for Dufferin-Peel made that point, whereas the Liberal critic simply refused to recognize what Mr Peterson said, that he had a plan to reduce auto insurance premiums. He didn't have a plan.

The Acting Speaker: Thank you. Further questions and/or comments?

Mr Callahan: I find it passing strange. I think the people out there in Ontario, the people who are watching us—and they've probably turned their sets off and have gone to do something more productive—are fed up with politicians promising one thing at election time to get elected and producing the opposite when they do get elected. You guys promised public auto insurance. I don't favour public auto insurance, but you promised it. It's like all the other promises, like the promise of no Sunday shopping. You did that. What's the next one? The thing that really scares the daylights out of me is the fact that these people are talking about nationalizing matters, nationalizing auto insurance, nationalizing labour. It sounds like we've retreated to what is now being broken up in the Soviet Union. In fact, that's totally unacceptable.

The Acting Speaker: On a point of order, the member for Cambridge.

Mr Farnan: Mr Speaker, I thought this particular time was for members to make comments on the previous speaker.

The Acting Speaker: Yes, it is.

Mr Farnan: We're not having that.

The Acting Speaker: I want to remind the honourable member for Brampton South. Please continue.

1800

Mr Callahan: I am in fact commenting on it, because the member who spoke last talked about this very innocuous part of the bill, which would penalize insurance companies if they don't play ball with the government. If that's not nationalizing, I don't know what is. So in fact what's happening over there is the wall is going up. The wall is coming down in Europe, but the wall is going up over there in a socialist government that doesn't understand that socialism of that type is gone. People are looking for greater freedom, and you're not giving it to them. You're trying to impose a labour law on these people that is in fact going to lose jobs. There is no impact study to tell us what kind of jobs will be lost, yet the minister persists in being the saviour and the advocate of the union members.

The Acting Speaker: Further questions and/or comments?

Mr Owens: In the brief time I have, there are many inaccuracies that I have to address in terms of the comments of the member for Dufferin-Peel with respect to seniors. In fact, income earners over 65 will receive the indexed, income-based benefit.

In terms of his comments with respect to the withdrawal provision, I'd like to ask the member for Dufferin-Peel why he has a problem with the government wanting to protect the consumers of Ontario. This withdrawal will only be permitted in areas that will not disrupt the marketplace. I'm sure that once the member for Dufferin-Peel considers not just the insurer's side of the story but also the consumer's side of the story, he may rethink his position.

In terms of the number of companies and more companies wanting to come into this province to do business, perhaps the member from Dufferin-Peel is not aware that there are at least 151 companies in this province currently doing business. My question is from a business perspective: Why would I want to come into a market that's already saturated?

In terms of the return to tort and the bill of the member from Leeds-Grenville, it's clear that the Tories, the members of the third party, are only interested in the 6/49 approach to accident benefit compensation: Some people win big; some people don't win at all. Had I been in the House at that time, I certainly would not have supported that bill.

In terms of the \$15,000 deductible, once again, selective memory is a problem here, as the member from Cambridge indicated. While the \$15,000 deductible is in place, these accident victims are still entitled to rehabilitation benefits as they go through the process.

The Acting Speaker: We can accommodate one final participant.

Mr Kormos: I almost didn't get here in time. I was chairing the standing committee on resources development. I'm grateful to the Speaker for letting me speak to this. What's remarkable is the suggestion that somehow if you're opposed to Bill 164, you're opposed to no-fault benefits. New Democrats have always believed in no-fault benefits. It was because of New Democrats and the models that they built in Manitoba, Saskatchewan and British Columbia, where there are strong no-fault benefit structures,

that we have the full, unfettered right of innocent victims to be fully compensated, not the victim or subject of meat charts.

By the way, I suppose this should be said: If you like workers' compensation, you'll love no-fault, because, by God, the meat charts don't vary very much. Indeed, the formula being adopted in Bill 164 for wage replacement is 90% of net income, the weekly wage replacement, which is less than exists currently under Bill 68, which is 80% of gross. Can you believe it? It's a New Democratic Party bill which is going to reduce wage replacement in the no-fault schedule—not increase it, like some would have you believe, but reduce it. I tell you, New Democrats have never advocated that—never, never—not in the public systems of British Columbia and Manitoba and Saskatchewan, where drivers are treated fairly because premiums are kept low, certainly lower than in this province, and where victims have the right to full compensation. Innocent victims—children, seniors, working people, retirees—have the right to full compensation. I tell you, this bill is wrong, wrong, wrong.

The Acting Speaker: The honourable member for Dufferin-Peel has two minutes in response.

Mr Tilson: Mr Speaker, it's past the hour of 6 o'clock. I would like to adjourn the debate.

The Acting Speaker: The honourable member cannot return to the debate. He has two minutes to reply.

Mr Tilson: Mr Speaker, I would like to return to the debate, but I would like to adjourn the debate. It's past the hour of 6 o'clock.

The Acting Speaker: The debate will be automatically terminated. The honourable member has two minutes, and if he does not wish to have his two minutes, he will forgo it.

Interjections.

Mr Tilson: Mr Speaker, after you get order in the House, I'd be pleased to make a response. I seem to be on the clock now, but there doesn't seem to be any order.

The Acting Speaker: We are not at the debate process; we are at questions and/or comments and responses, which is beyond debate.

Mr Tilson: Fine. I notice I have a minute to go in my two-minute response, which is rather strange. However, with respect to the member for Cambridge—I hope that's where he's from—surely I have the right to come in and criticize this bill. Surely I have the right to draw to your attention that it's not going to work, in the same way you drew to the attention—you personally, because I've read some of your speeches—with respect to the Liberal bill. If you have the right to criticize them, I have the right to criticize you, and I believe they're constructive criticisms.

I believe we're hearing the example of economic loss. I'd like you to rethink all of that: the whole issue of cost, the whole issue of power to the cabinet. I believe I have the right to submit to you that you should rethink all of that, and you're telling me I don't have that right. You're telling me I'm being negative. I'm trying to solve the system, just as I'm sure the Liberals and the NDP are trying to

solve the system. I'm simply saying that the Liberals have done it wrong—you've agreed with me on that—and I'm also saying that you're wrong. You're dead wrong on this system. You've created an impossible, expensive, dictatorial, complicated, unworkable system.

Mr Farnan: What do you like about it?

Mr Tilson: Not a thing.

BUSINESS OF THE HOUSE

The Acting Speaker (Mr Noble Villeneuve): The honourable government House leader will have the schedule for the upcoming week.

Hon David S. Cooke (Government House Leader): I have the business of the House for next week, pursuant to standing order 53.

On Monday, October 5, 1992, we will continue second reading debate of Bill 164.

On Tuesday, October 6, we'll be dealing with a non-confidence motion in the name of Mr Harris.

On Wednesday, October 7, we'll continue with second reading of Bill 164.

On Thursday, October 8, in the morning, we'll deal with private members' business: ballot item 23, standing in the name of Ms Marland, and ballot item 44, standing in the name of Mr Curling.

In the afternoon, we'll continue debate on Bill 164.

The Acting Speaker: It now being past 6 of the clock, this House stands adjourned until Monday, October 5, at 1:30 of the clock.

The House adjourned at 1808.

ERRATUM

| No. | Page | Column | Line | Should read: |
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| L-59 | 2248 | 2 | 52 | being counsel to the Lysyk commission. He was somebody |

**LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor/Lieutenant-gouverneur: Lt Col The Hon/L'hon Henry N. R. Jackman CM, KStJ, BA, LLB, LLD

Speaker/Président: Hon/L'hon David Warner

Clerk/Greffier: Claude L. DesRosiers

Clerk Assistant and Clerk of Committees/Greffier adjoint et Greffier des comités: Smirle Forsyth

Clerk Assistant and Clerk of Journals/Greffier adjoint et Greffier des journaux: Alex D. McFedries

Sergeant at Arms/Sergent d'armes: Thomas Stelling

| Constituency | Name of member | Party | Other responsibilities |
|-----------------------|----------------------------------|-------|--|
| Algoma | Wildman, Hon/L'hon Bud | ND | Minister of Natural Resources, minister responsible for native affairs/ministre des Richesses naturelles, ministre délégué aux Affaires autochtones |
| Algoma-Manitoulin | Brown, Michael A. | L | Chair, standing committee on general government/ Président du Comité permanent des affaires gouvernementales |
| Beaches-Woodbine | Lankin, Hon/L'hon Frances | ND | Minister of Health, minister responsible for the substance abuse strategy/ministre de la Santé, ministre responsable de la Stratégie de prévention de la toxicomanie |
| Brampton North/-Nord | McClelland, Carman | L | Vice-Chair, standing committee on general government/ Vice-Président du Comité permanent des affaires gouvernementales |
| Brampton South/-Sud | Callahan, Robert V. | L | |
| Brant-Haldimand | Eddy, Ron | L | |
| Brantford | Ward, Brad | ND | parliamentary assistant to Minister of Industry, Trade and Technology/adjoint parlementaire du ministre de l'Industrie, du Commerce et de la Technologie |
| Bruce | Elston, Murray J. | L | opposition House leader/ chef parlementaire de l'opposition |
| Burlington South/-Sud | Jackson, Cameron | PC | Chair, standing committee on estimates/ Président du Comité permanent des budgets des dépenses |
| Cambridge | Farnan, Mike | ND | Vice-Chair, standing committee on the Legislative Assembly/ Vice-Président du Comité permanent de l'Assemblée législative |
| Carleton | Sterling, Norman W. | PC | |
| Carleton East/-Est | Morin, Gilles E. | L | Deputy Speaker and Chair of the Committee of the Whole House/ Vice-Président et Président du Comité plénier de l'Assemblée législative |
| Chatham-Kent | Hope, Randy R. | ND | parliamentary assistant to Minister of Community and Social Services/adjoint parlementaire du ministre des Services sociaux et communautaires |
| Cochrane North/-Nord | Wood, Len | ND | parliamentary assistant to Minister of Natural Resources/ adjoint parlementaire du ministre des Richesses naturelles |
| Cochrane South/-Sud | Bisson, Gilles | ND | parliamentary assistant to Minister of Northern Development and Mines, parliamentary assistant to minister responsible for francophone affairs/adjoint parlementaire de la ministre du Développement du Nord et des Mines, adjoint parlementaire du ministre délégué aux Affaires francophones |
| Cornwall | Cleary, John C. | L | |
| Don Mills | Ward, Margery | ND | parliamentary assistant to Minister of Government Services/ adjointe parlementaire du ministre des Services gouvernementaux |
| Dovercourt | Silipo, Hon/L'hon Tony | ND | Minister of Education/ministre de l'Éducation |
| Downsview | Perruzza, Anthony | ND | parliamentary assistant to minister responsible for the greater Toronto area/adjoint parlementaire de la ministre responsable du Bureau de la région du grand Toronto |
| Dufferin-Peel | Tilson, David | PC | |
| Durham Centre/-Centre | White, Drummond | ND | Chair, standing committee on regulations and private bills/ Président du Comité permanent des règlements et des projets de loi privés |
| Durham East/-Est | Mills, Gord | ND | parliamentary assistant to Minister of Municipal Affairs/ adjoint parlementaire du ministre des Affaires municipales |
| Durham West/-Ouest | Wiseman, Jim | ND | parliamentary assistant to Minister of Revenue/ adjoint parlementaire de la ministre du Revenu |
| Durham-York | O'Connor, Lawrence | ND | parliamentary assistant to minister responsible for the substance abuse strategy/adjoint parlementaire de la ministre responsable de la Stratégie de prévention de la toxicomanie |
| Eglinton | Poole, Dianne | L | |
| Elgin | North, Hon/L'hon Peter | ND | Minister of Tourism and Recreation/ ministre du Tourisme et des Loisirs |
| Essex-Kent | Hayes, Pat | ND | parliamentary assistant to Minister of Agriculture and Food/ adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation |
| Essex South/-Sud | Mancini, Remo | L | Chair, standing committee on public accounts/ Président du Comité permanent des comptes publics |

| Constituency | Name of member | Party | Other responsibilities |
|---|--|-------|--|
| Etobicoke-Lakeshore | Grier, Hon/L'hon Ruth A. | ND | Minister of the Environment, minister responsible for the greater Toronto area/ministre de l'Environnement, ministre responsable du Bureau de la région du grand Toronto |
| Etobicoke-Humber | Henderson, D. James | L | |
| Etobicoke-Rexdale | Philip, Hon/L'hon Ed | ND | Minister of Industry, Trade and Technology/ ministre de l'Industrie, du Commerce et de la Technologie |
| Etobicoke West/-Ouest | Stockwell, Chris | PC | |
| Fort William | McLeod, Lyn | L | Leader of the Opposition/chef de l'opposition |
| Fort York | Marchese, Rosario | ND | parliamentary assistant to the Premier, parliamentary assistant to Minister of Intergovernmental Affairs/adjoint parlementaire du premier ministre, adjoint parlementaire du ministre des Affaires intergouvernementales |
| Frontenac-Addington | Wilson, Hon/L'hon Fred | ND | Minister of Government Services/ ministre des Services gouvernementaux |
| Grey | Murdoch, Bill | PC | |
| Guelph | Fletcher, Derek | ND | parliamentary assistant to Minister of Consumer and Commercial Relations/adjoint parlementaire de la ministre de la Consommation et du Commerce |
| Halton Centre/-Centre | Sullivan, Barbara | L | |
| Halton North/-Nord | Duignan, Noel | ND | Chair, standing committee on the Legislative Assembly/ Président du Comité permanent de l'Assemblée législative |
| Hamilton Centre/-Centre | Christopherson, Hon/L'hon David | ND | Minister of Correctional Services/ministre des Services correctionnels |
| Hamilton East/-Est | Mackenzie, Hon/L'hon Bob | ND | Minister of Labour/ministre du Travail |
| Hamilton Mountain | Charlton, Hon/L'hon Brian | ND | Minister of Financial Institutions, Minister of Energy/ ministre des Institutions financières, ministre de l'Énergie |
| Hamilton West/-Ouest | Allen, Hon/L'hon Richard | ND | Minister of Colleges and Universities, Minister of Skills Development/ministre des Collèges et Universités, ministre de la Formation professionnelle |
| Hastings-Peterborough | Buchanan, Hon/L'hon Elmer | ND | Minister of Agriculture and Food/ ministre de l'Agriculture et de l'Alimentation |
| High Park-Swansea | Ziemba, Hon/L'hon Elaine | ND | Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations/ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales |
| Huron | Klopp, Paul | ND | parliamentary assistant to Minister of Agriculture and Food/ adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation |
| Kenora | Miclash, Frank | L | opposition deputy whip/whip adjoint de l'opposition |
| Kingston and The Islands/ Kingston et Les Îles | Wilson, Gary | ND | parliamentary assistant to Minister for Skills Development/ adjoint parlementaire du ministre de la Formation professionnelle |
| Kitchener | Ferguson, Will | ND | parliamentary assistant to Minister of Transportation/ adjoint parlementaire du ministre des Transports |
| Kitchener-Wilmot | Cooper, Mike | ND | parliamentary assistant to the Solicitor General; deputy government whip; Chair, standing committee on administration of justice/ adjoint parlementaire du Solliciteur général, whip adjoint du gouvernement, Président du Comité permanent de l'administration de la justice |
| Lake Nipigon/Lac-Nipigon | Pouliot, Hon/L'hon Gilles | ND | Minister of Transportation, minister responsible for francophone affairs/ministre des Transports, ministre délégué aux Affaires francophones |
| Lambton | MacKinnon, Ellen | ND | Vice-Chair, standing committee on regulations and private bills/ Vice-Présidente du Comité permanent des règlements et des projets de loi privés |
| Lanark-Renfrew | Jordan, W. Leo | PC | |
| Lawrence | Cordiano, Joseph | L | Vice-Chair, standing committee on public accounts/ Vice-Président du Comité permanent des comptes publics |
| Leeds-Grenville | Runciman, Robert W. | PC | Chair, standing committee on government agencies/ Président du Comité permanent des organismes gouvernementaux |
| Lincoln | Hansen, Ron | ND | Chair, standing committee on finance and economic affairs/ Président du Comité permanent des finances et des affaires économiques |
| London Centre/-Centre | Boyd, Hon/L'hon Marion | ND | Minister of Community and Social Services, minister responsible for women's issues/ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine |
| London North/-Nord | Cunningham, Dianne | PC | Progressive Conservative chief whip/ whip en chef du Parti progressiste-conservateur |
| London South/-Sud | Winninger, David | ND | parliamentary assistant to the Attorney General, parliamentary assistant to minister responsible for native affairs/ adjoint parlementaire du Procureur général, adjoint parlementaire du ministre délégué aux Affaires autochtones |

| Constituency | Name of member | Party | Other responsibilities |
|---|---|-------------------------------------|---|
| Markham | Cousens, W. Donald | PC | Progressive Conservative deputy House leader/ chef parlementaire adjoint du Parti progressiste-conservateur parliamentary assistant to Minister of the Environment/ adjointe parlementaire de la ministre de l'Environnement |
| Middlesex | Mathysen, Irene | ND | |
| Mississauga East/-Est Mississauga North/-Nord Mississauga South/-Sud | Sola, John Offer, Steven Marland, Margaret | L L PC | |
| Mississauga West/-Ouest Muskoka-Georgian Bay | Mahoney, Steven W. Waters, Daniel | L ND | Vice-Chair, standing committee on estimates/ Vice-Présidente du Comité permanent des budgets des dépenses opposition chief whip/whip en chef de l'opposition parliamentary assistant to Minister of Tourism and Recreation/ adjoint parlementaire du ministre du Tourisme et des Loisirs |
| Nepean | Daigeler, Hans | L | |
| Niagara Falls | Harrington, Margaret H. | ND | |
| Niagara South/-Sud | Coppen, Hon/L'hon Shirley | ND | Vice-Chair, standing committee on social development/ Vice-Président du Comité permanent des affaires sociales parliamentary assistant to Minister of Housing/ adjointe parlementaire de la ministre du Logement Minister without Portfolio, chief government whip/ ministre sans portefeuille, whip en chef du gouvernement |
| Nickel Belt | Laughren, Hon/L'hon Floyd | ND | |
| Nipissing | Harris, Michael | PC | |
| Norfolk | Jamison, Norm | ND | Deputy Premier, Treasurer of Ontario and Minister of Economics/ vice-premier ministre, Trésorier de l'Ontario et ministre de l'Économie leader of the Progressive Conservative Party/ chef du Parti progressiste-conservateur parliamentary assistant to Minister of Industry, Trade and Technology/du ministre de l'Industrie, du Commerce et de la Technologie |
| Northumberland Oakville South/-Sud Oakwood Oriole Oshawa | Fawcett, Joan M. Carr, Gary Rizzo, Tony Caplan, Elinor Pilkey, Hon/L'hon Allan | L PC ND L ND | |
| Ottawa Centre/-Centre Ottawa East/-Est Ottawa-Rideau Ottawa South/-Sud Ottawa West/-Ouest Oxford | Gigantes, Hon/L'hon Evelyn Grandmaître, Bernard C. O'Neill, Yvonne McGuinty, Dalton J.P. Chiarelli, Robert Sutherland, Kimble | ND L L L L ND | |
| Parkdale Parry Sound | Ruprecht, Tony Eves, Ernie | L PC | Solicitor General/Solliciteur général Minister of Housing/ministre du Logement parliamentary assistant to Minister of Colleges and Universities; Vice-Chair, standing committee on finance and economic affairs/ Vice-Président du Comité permanent des finances et des affaires économiques, adjoint parlementaire du ministre des Collèges et Universités |
| Perth | Haslam, Hon/L'hon Karen | ND | |
| Peterborough | Carter, Jenny | ND | |
| Port Arthur Prescott and Russell/ Prescott et Russell Prince Edward-Lennox-South Hastings/ Prince-Edward- Lennox-Hastings-Sud Quinte Rainy River Renfrew North/-Nord Riverdale | Wark-Martyn, Hon/L'hon Shelley Poirier, Jean Johnson, Paul R. O'Neil, Hugh P. Hampton, Hon/L'hon Howard Conway, Sean G. Churley, Hon/L'hon Marilyn | ND L ND L ND L ND | Progressive Conservative House leader/ chef parlementaire du Parti progressiste-conservateur Minister of Culture and Communications/ ministre de la Culture et des Communications parliamentary assistant to Minister of Citizenship/ adjointe parlementaire de la ministre des Affaires civiques Minister of Revenue/ministre du Revenu parliamentary assistant to the Treasurer of Ontario and Minister of Economics/adjoint parlementaire du Trésorier de l'Ontario et du ministre de l'Économie Attorney General/Procureur général Deputy Leader of the Opposition/chef adjoint de l'opposition Minister of Consumer and Commercial Relations/ ministre de la Consommation et du Commerce Second Deputy Chair of the Committee of the Whole House/ Deuxième Vice-Président du Comité plénier de l'Assemblée législative parliamentary assistant to the Premier/adjoint parlementaire du premier ministre opposition deputy House leader/chef parlementaire de l'opposition government whip; Vice-Chair, standing committee on the Ombudsman/ whip du gouvernement, Vice-Présidente du Comité permanent de l'ombudsman |
| S-D-G & East Grenville/ S.-D.-G. & Grenville-Est | Villeneuve, Noble | PC | |
| St Andrew-St Patrick | Akande, Zanana | ND | |
| St Catharines St. Catharines-Brock | Bradley, James J. Haeck, Christel | L ND | |
| St. George-St. David | Vacant | | |

| Constituency | Name of member | Party | Other responsibilities |
|--|----------------------------------|-------|--|
| Sarnia | Huget, Bob | ND | parliamentary assistant to Minister of Energy; Vice-Chair, standing committee on resources development/ adjoint parlementaire du ministre de l'Énergie, Vice-Président du Comité permanent du développement des ressources |
| Sault Ste Marie/ Sault-Sainte-Marie | Martin, Tony | ND | parliamentary assistant to Minister of Education/ adjoint parlementaire du ministre de l'Éducation |
| Scarborough-Agincourt | Phillips, Gerry | L | |
| Scarborough Centre/-Centre | Owens, Stephen | ND | parliamentary assistant to Minister of Financial Institutions/ adjoint parlementaire du ministre des Institutions financières |
| Scarborough East/-Est | Frankford, Robert | ND | |
| Scarborough-Ellesmere | Warner, Hon/L'hon David | ND | Speaker/Président |
| Scarborough North/-Nord | Curling, Alvin | L | opposition deputy whip/whip adjoint de l'opposition |
| Scarborough West/-Ouest | Swarbrick, Anne | ND | |
| Simcoe Centre/-Centre | Wessenger, Paul | ND | parliamentary assistant to Minister of Health/ adjoint parlementaire de la ministre de la Santé |
| Simcoe East/-Est | McLean, Allan K. | PC | Vice-Chair, standing committee on government agencies/ Vice-Président du Comité permanent des organismes gouvernementaux |
| Simcoe West/-Ouest | Wilson, Jim | PC | |
| Sudbury | Murdock, Sharon | ND | parliamentary assistant to Minister of Labour/ adjointe parlementaire du ministre du Travail |
| Sudbury East/-Est | Martel, Hon/L'hon Shelley | ND | Minister of Northern Development and Mines/ ministre du Développement du Nord et des Mines |
| Timiskaming | Ramsay, David | L | |
| Victoria-Haliburton | Drainville, Dennis | ND | First Deputy Chair of the Committee of the Whole House/ Premier Vice-Président du Comité plénier de l'Assemblée législative |
| Waterloo North/-Nord | Witmer, Elizabeth | PC | |
| Welland-Thorold | Kormos, Peter | ND | Chair, standing committee on resources development/ Président du Comité permanent du développement des ressources |
| Wellington | Arnott, Ted | PC | |
| Wentworth East/-Est | Morrow, Mark | ND | Chair, standing committee on the Ombudsman; Vice-Chair, standing committee on administration of justice/ Président du Comité permanent de l'ombudsman, Vice-Président du Comité permanent de l'administration de la justice |
| Wentworth North/-Nord | Abel, Donald | ND | government whip/whip du gouvernement |
| Willowdale | Harnick, Charles | PC | |
| Wilson Heights | Kwinter, Monte | L | |
| Windsor-Riverside | Cooke, Hon/L'hon David | ND | Minister of Municipal Affairs, Chair of the Management Board of Cabinet and government House leader/ministre des Affaires municipales, président du Conseil de gestion du gouvernement, et chef parlementaire du gouvernement |
| Windsor-Sandwich | Dadamo, George | ND | parliamentary assistant to Minister of Culture and Communications/ adjoint parlementaire de la ministre de la Culture et des Communications |
| Windsor-Walkerville | Lessard, Wayne | ND | parliamentary assistant to Chair of the Management Board of Cabinet/adjoint parlementaire du président du Conseil de gestion du gouvernement |
| York Centre/-Centre | Sorbara, Gregory S. | L | |
| York East/-Est | Malkowski, Gary | ND | parliamentary assistant to Minister of Citizenship/ adjoint parlementaire de la ministre des Affaires civiques |
| York Mills | Turnbull, David | PC | Progressive Conservative whip/whip du Parti progressiste- conservateur |
| York North/-Nord | Beer, Charles | L | Chair, standing committee on social development/ Président du Comité permanent des affaires sociales |
| York South/-Sud | Rae, Hon/L'hon Bob | ND | Premier, President of the Executive Council, Minister of Intergovernmental Affairs/premier ministre, président du Conseil des ministres, ministre des Affaires gouvernementales |
| Yorkview | Mammoliti, George | ND | parliamentary assistant to Minister of Correctional Services/ adjoint parlementaire du ministre des Services correctionnels |

**COMMITTEES OF THE LEGISLATIVE ASSEMBLY
COMITÉS DE L'ASSEMBLÉE LÉGISLATIVE**

STANDING COMMITTEES/COMITÉS PERMANENTS

Administration of justice/Administration de la justice

Chair/Président: Mike Cooper

Vice-Chair/Vice-Président: Mark Morrow

Members/Membres: Zanana Akande, Jenny Carter, Robert Chiarelli, Mike Cooper, Alvin Curling, Charles Harnick, Steven W. Mahoney, Gary Malkowski, Mark Morrow, Robert W. Runciman, Paul Wessinger, David Winninger
Clerk/Greffière: Lisa Freedman

Estimates/Budgets des dépenses

Chair/Président: Cameron Jackson

Vice-Chair/Vice-Présidente: Margaret Marland

Members/Membres: Gilles Bisson, Gary Carr, Ron Eddy, Will Ferguson, Robert Frankford, Wayne Lessard, Lawrence O'Connor, Anthony Perruzza, David Ramsay
Clerk/Greffier: Franco Carrozza

**Finance and economic affairs/
Finances et affaires économiques**

Chair/Président: Ron Hansen

Vice-Chair/Vice-Président: Kimble Sutherland

Members/Membres: Elinor Caplan, Gary Carr, Norm Jamison, Monte Kwinter, Gerry Phillips, Norman W. Sterling, Brad Ward, Margery Ward, Jim Wiseman
Clerk/Greffier: Todd Decker

General government/Affaires gouvernementales

Chair/Président: Michael A. Brown

Vice-Chair/Vice-Président: Carman McClelland

Members/Membres: Ted Arnott, Will Ferguson, Derek Fletcher, Margaret H. Harrington, Randy R. Hope, George Mammoliti, Rosario Marchese, Bill Murdoch, Dianne Poole, John Sola
Clerk/Greffière: Deborah Deller

Government agencies/Organismes gouvernementaux

Chair/Président: Robert W. Runciman

Vice-Chair/Vice-Président: Allan K. McLean

Members/Membres: James J. Bradley, Jenny Carter, John C. Cleary, Will Ferguson, Robert Frankford, Bernard C. Grandmaître, Rosario Marchese, Chris Stockwell, Daniel Waters, Jim Wiseman
Clerk/Greffier: Douglas Arnott

Legislative Assembly/Assemblée législative

Chair/Président: Noel Duignan

Vice-Chair/Vice-Président: Mike Farnan

Members/Membres: Mike Cooper, Paul R. Johnson, Margaret Marland, Irene Mathysen, Carman McClelland, Gord Mills, Gilles E. Morin, Stephen Owens, Barbara Sullivan, Noble Villeneuve
Clerk/Greffier: Douglas Arnott

Ombudsman/Ombudsman

Chair/Président: Mark Morrow

Vice-Chair/Vice-Présidente: Christel Haeck

Members/Membres: Zanana Akande, Dennis Drainville, Noel Duignan, D. James Henderson, Paul R. Johnson, Frank Miclash, Bill Murdoch, Anthony Perruzza, David Ramsay, Elizabeth Witmer
Clerk/Greffier: Franco Carrozza

Public accounts/Comptes publics

Chair/Président: Remo Mancini

Vice-Chair/Vice-Président: Joseph Cordiano

Members/Membres: Robert V. Callahan, W. Donald Cousens, Noel Duignan, Robert Frankford, Christel Haeck, Pat Hayes, Paul R. Johnson, Lawrence O'Connor, David Tilson
Clerk/Greffière: Tannis Manikel

**Regulations and private bills/
Règlements et projets de loi privés**

Chair/Président: Drummond White

Vice-Chair/Vice-Présidente: Ellen MacKinnon

Members/Membres: George Dadamo, Ron Eddy, Mike Farnan, Ron Hansen, W. Leo Jordan, Gord Mills, Tony Ruprecht, John Sola, Kimble Sutherland, Jim Wilson
Clerk/Greffier: Todd Decker

Resources development/Développement des ressources

Chair/Président: Peter Kormos

Vice-Chair/Vice-Président: Bob Huget

Members/Membres: Sean G. Conway, George Dadamo, W. Leo Jordan, Paul Klopp, Dalton J.P. McGuinty, Sharon Murdock, Steven Offer, David Turnbull, Daniel Waters, Len Wood
Clerk pro tem/Greffier par intérim: Todd Decker

Social development/Affaires sociales

Chair/Président: Charles Beer

Vice-Chair/Vice-Président: Hans Daigeler

Members/Membres: Dennis Drainville, Joan M. Fawcett, Tony Martin, Irene Mathysen, Yvonne O'Neill, Stephen Owens, Drummond White, Gary Wilson, Jim Wilson, Elizabeth Witmer
Clerk/Greffière: Lynn Mellor

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